

Delhi



Gazette

DELHI ADMINISTRATION

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PART IV

Notifications of Departments of the Delhi Administration other than notifications included in Part I

DELHI ADMINISTRATION

NOTIFICATIONS

(Finance (Expenditure) Department) .

Delhi, the 25th July 1962

No. F.4(33)/62-Fin.(E).—The following draft of rules further to amend the Delhi Sales Tax Rules, 1951, which the Chief Commissioner, Delhi, proposes to make in exercise of the powers conferred by section 26 of the Bengal Finance (Sales Tax) Act, 1941, as in force in the Union territory of Delhi, is published for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 10th August, 1962, together with any objections or suggestions that may be received in respect thereto before the date specified :—

DRAFT RULES

1. **Short title.**—These rules may be called the Delhi Sales Tax (Amendment) Rules, 1962.

2. Substitution of rule 44.—For rule 44 of the Delhi Sales Tax Rules, 1951 (hereinafter referred to as “the said Rules”) the following rule shall be substituted, namely:—

"44. If any sum is payable by the dealer under rule 36, the appropriate Assessing Authority shall round off the same, calculated in terms of the basic rates, to the nearest multiple of 5 Np. and serve a notice in form S. T. XV upon him, specifying the date, not less than thirty days after the service of the notice, on or before which payment shall be made, and he shall also fix a date, on or before which the dealer shall furnish the receipted challan in proof of such payment."

3. Insertion of rule 47.—After rule 46 of the said Rules, the following rule shall be inserted, namely:—

"47. Any sum payable under the Art or these rules shall be rounded off to the nearest multiple of 5 Np."

By Order,

S. K. JAIN,

Under Secy. Fin. (Expenditure),

Delhi Administration, Delhi.

Delhi, the 25th July 1962

No. F.19(10)/62-Law(ii).—The following is published for general information of the public:—

Bill No. 30 of 1962.

THE LEGISLATIVE COUNCILS (COMPOSITION)

BILL, 1962.

(AS INTRODUCED IN LOK SABHA)

A

BILL

to provide for the composition of the Legislative Councils of States and for matters connected therewith.

Be it enacted by Parliament in the Thirteenth Year of the republic of India as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Legislative Councils (Composition) Act, 1962.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

(a) 'block samity' means a body of persons, by whatever name called, constituted by or under any State Act for undertaking developmental activities and recognised as a block samity by rules that may be made in this behalf, but shall not include any district board, zila parishad or panchayat;

(b) 'prescribed' means prescribed by rules made under this Act;

(c) 'tiller of the soil' means a person who cultivates land by his own labour or by the labour of any members of his family or by servants or by hired labour on wages.

3. Composition of Legislative Councils.—(1) The composition of the Legislative Council of a State shall be as provided in sub-section (2).

(2) Of the total number of members of the Legislative Council of a State—

(a) as nearly as may be, one-twelfth shall be elected by electorates consisting of members of municipalities in the State;

(b) as nearly as may be, one-sixth shall be elected by electorates consisting of members of district boards, zila parishads, block samities and such other local authorities within the State, not being a panchayat, as may be prescribed;

(c) as nearly as may be, one-twelfth shall be elected by members of an electoral college chosen by members of panchayats within the State and the number of members of the electoral college and the manner in which they may be chosen shall be such as may be prescribed;

(d) as nearly as may be, one-sixth shall be elected by members of an electoral college chosen by members of co-operative societies within the State and the number of members of the electoral college and the manner in which they may be chosen shall be such as may be prescribed;

(e) as nearly as may be, one-twelfth shall be elected by electorates consisting of persons residing in the State who have been for at least three years graduates of any University in the territory of India or have been for at least three years in possession of qualifications prescribed by or under any law made by Parliament as equivalent to that of a graduate of any such University;

(f) as nearly as may be, one-twelfth shall be elected by electorates consisting of persons who have been for at least five years engaged in teaching in such educational institutions within the State, not lower in standard than that of a secondary school, as may be prescribed;

(g) as nearly as may be, one-twelfth shall be elected by members of an electoral college chosen by persons who have been for at least five years engaged in teaching in such educational institutions within the State, not higher in standard than that of a middle school, as may be specified by rules made in this behalf, and the number of members of the electoral college and the manner in which they may be chosen shall be such as may be prescribed;

(h) as nearly as may be, one-twelfth shall be elected by members of such organised bodies within the State, relating to commerce, industry, trade and business, as may be prescribed;

(i) as nearly as may be, one-twelfth shall be elected by persons of such organised bodies of the tillers of the soil within the State as may be prescribed;

(j) the remaining members shall be nominated by the Governor in accordance with the provisions of Section 4.

(3) The members to be elected under clauses (a) to (i) of sub-section (2) shall be chosen in such territorial constituencies as may be prescribed and the elections under the said clauses shall be held in accordance with the system of proportional representation by means of the single transferable vote.

4. The members to be nominated by the Governor under clause (j) of sub-section (2) of Section 3 shall consist of persons having special knowledge or practical experience in respect of such matters as the following, namely, literature, science, art, co-operative movement and social service.

5. **Act to override other laws.**—The provisions of this Act and of the rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in the Representation of the People Act, 1950, (43 of 1950) or the rules made under that Act.

6. **Power to make rules.**—(1) The Central Government may, after consulting the Election Commission, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the block samities and other local authorities which may have representation in the Legislative Council of a State;

(b) the number of persons which an electoral college formed under this Act may consist of and the manner of choosing them;

(c) the institutions and organised bodies which may have representation in the Legislative Council of a State;

(d) the territorial constituencies into which a State may be divided for the purpose of election to the Legislative Council of the State;

(e) any other matter which is to be, or may be, prescribed.

(3) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive

sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall there-after have effect only in such modified form or be of no effect, as the case may be, so however that any such modifications or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Until Parliament by law otherwise provides the Composition of the Legislative Council of a State is based on the provisions contained in clause (3) of Article 171.

Since the passing of the Constitution organisational patterns of local authorities have changed to a great extent. In the process of democratic decentralisation, some organised bodies have come into being. Co-operative societies are now destined to play a very important part in our body politic. It is expected that the whole country will be covered by such co-operative societies in different spheres of our community life. Also teachers working in educational institutions lower in standard than that of a Secondary School, have been asking for representation in the Council. It is desirable that organised interests should also be given representation so that the Council shall be representative of all interests.

The object of this Bill is to provide for representation to as many organised interests as are functioning in the State. By giving such representation to these interests the Council would not only become more representative but the functioning of such organisations would be encouraged and would get impetus and their working will become beneficial to the community at large. The local Council will be provided with functional representation which appears to be the intention of the Constitution makers. It is not necessary that Members of Legislative Assembly should have the right to elect one third of the total strength of the Council. This right has been distributed to organised bodies of industries, commerce, trade and business. Agricultural organisations have also been provided for.

NEW DELHI

The 4th April, 1962.

SHREE NARAYAN DAS.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill confers on the Central Government power to make rules, in consultation with the Election Commission for determining block samities and other local authorities, the number of persons which an electoral college formed under the Act may consist of, the institutions and organised bodies which may have representation in the Legislative Council of a State, and territorial constituencies into which a State may be divided for purposes of election to the Legislative Council and similar other matters concerning such election.

The aforesaid matters on which rules can be made are generally matters of detail. The delegation of Legislative power is, therefore, normal in character.

LOK SABHA

A

BILL

to provide for the composition of the Legislative Councils of States and for matters connected therewith.

(Shri Shree Narayan Das, M.P.)

Extracts from the Lok Sabha Debates dated the 27th April, 25th May, and 8th June, 1962.

27th April, 1962.

LEGISLATIVE COUNCILS (COMPOSITION) BILL

Shri Shree Narayan Das (Darbhanga): Sir, I beg to move for leave to introduce a Bill to provide for the composition of the Legislative Councils of States and for matters connected therewith.

Mr. Deputy-Speaker:—The question is:—

“That leave be granted to introduce a Bill to provide for the composition of the Legislative Councils of States and for matters connected therewith.”

The motion was adopted.

Shri Shree Narayan Das: Sir, I introduce the Bill.

25th May, 1962.
16.35 hrs.

LEGISLATIVE COUNCILS (COMPOSITION) BILL

by Shri Shree Narayan Das

Shri Shree Narayan Das (Darbhanga): Sir, before I make my motion, I would like to have your permission to make a small change in the date that has been given in the motion. 30th September, I would like to make 31st December. More time should be given.

Mr. Deputy-Speaker: Yes.

Shri Shree Narayan Das: Sir, I move:

"That the Bill to provide for the composition of the Legislative Councils of States and for matters connected therewith be circulated for the purpose of eliciting opinion thereon by the 31st December, 1962."

As at present, there are some States where there is provision for Legislative Councils. A number of small States have not been provided with Legislative Councils so far. Most of the major States have a Legislative Council. Some of the States which have no Legislative Council at present I am told, would like to have one. The object of my Bill is to give representation in the Legislative Councils of the States to more interests than have been provided in the Constitution. The Constitution-makers, while making provision for this in article 17 (2) said:

"Until Parliament by law otherwise provides, the composition of the Legislative Council of a State shall be as provided as in clause (3)."

This clearly indicates that the Constitution-makers had it in mind that when the elected Parliament will come into being, they will have the power to make certain more provisions with regard to representation in the Legislative Councils.

I have gone through the discussions that were held in the Constituent Assembly while discussing this article. Dr. Ambedkar was piloting the Drafting Committee's Proposals. This article which is now 171 was in the Draft No. 150. It said:

"The total number of Members in the Legislative Council of a State having such Council shall not exceed twenty-five per cent of the total number of members in the Assembly of that State".

Clause 2 reads like that:

"The allocation of seats in the Legislative Council of a State, the manner of choosing persons to fill these seats, the qualifications to be possessed for being so chosen and the qualifications entitling persons to vote in the choice of any such persons shall be such as Parliament may by law prescribe."

The Drafting Committee had in mind, that the whole thing should be left over to Parliament that would come into being.

16.39 hrs.

[**SHRI MULCHAND DUBE in the Chair**]

As I find on going through the proceedings, there were a large number of amendments with regard to this clause. A large number of Members wanted representation of the various interests. Therefore, there was no unanimity. The Drafting Committee, after considering all these amendments, came to the conclusion that the whole matter should be left over to the Parliament that would come into being. A large number of Members, while participating in the discussion in the Constituent Assembly, suggested that the Constitution should lay down the provisions in detail. A large number of Members were not for that. There were diverse opinions. There was one school of thought in favour of the whole thing being left over to Parliament; there were Members who suggested that the details should be laid down. Subsequently, that is, after some time, the provision that exists in the Constitution at present in the form of article 171 was passed by the Constituent Assembly. In this connection, I would like to refer to clause (3) of article 171 and just give a gist of what is contained therein. That clause reads thus:

"Of the total number of members of the Legislative Council of a State—

(a) as nearly as may be, one-third shall be elected by electorates consisting of members of municipalities, district boards and such other local authorities in the State as Parliament may by law specify;

(b) as nearly as may be, one-twelfth shall be elected by electorates consisting of the persons residing in the State who have been for at least three years graduates of any university in the territory of India..."

Then one twelfth representation has been given to teachers of secondary schools. I would like to emphasise here that the teachers of primary schools have not been given any re-

presentation. Then, about one-third of the members are to be elected by the members of the Legislative Assembly of the State.

From this, it is clear that at that time the members of the Constituent Assembly were able to make suggestions for representation with regard to only these three interests. The majority of the members, that is, about one-third are elected by the members of the Legislative Assembly of the State by the principle of proportional representation by the single transferable vote.

The object of my Bill is to provide for representation to a large number of institutions in the Legislative Council of the State. Since the Constitution was framed, in our country, there has been great development. A large number of new organisations have come into being. Under the process of democratic decentralisation, block samitis, panchayats etc. have come into being, and they are going to play a very important part in our social and political structure, as has been emphasised by the Planning Commission. Co-operative societies are also coming into existence in larger numbers. The whole country is now going to be covered by co-operative societies. Besides, there are the organisations of commerce, industry, business and trade. All these bodies play a very important role in the polity of our country.

Therefore, the time has now come when Parliament should consider the question of giving representation for such bodies as have some influence and as have got at present no representation in the Legislative Councils of the States.

From the provision in the Constitution, it is clear, that only graduates and teachers of secondary schools have been given representation, but the primary teachers have not been given any representation. I think that this is discrimination. The primary teachers are very large in number, no doubt, but when the secondary school teachers have been given representation, I do not see any reason why the primary school teachers should be denied representation.

Therefore, my Bill seeks to provide for representation, to such organised interests as are functioning in the State, because, by such representation, not only would the Councils become more representative, but the functioning of such organisations would also be encouraged and would get impetus, and their working will become beneficial to the community at large.

When the Constitution was framed, the Constitution-makers did have in mind the idea that a time will come when the Parliament would have to lay down more provisions for the representation of some more interests.

I would not take much time of the House, but I would only submit that this Bill is very important, because the other interests that have not so far been represented in the Council have been agitating for such representation, of course, not in the form of any great political agitation, but they think that their case had been neglected at the time when the Constitution was framed. So, it is now up to Parliament to consider those cases.

I have not given notice of a motion for consideration of this Bill but only for circulation of this Bill for eliciting public opinion thereon, because I feel that public opinion should be ascertained in this regard. The interests that have not been represented should make their representations and give their opinions, and those opinions when received can be considered by Parliament which is a much more representative body than the Constituent Assembly which framed the Constitution. For, the Constituent Assembly was not constituted on the basis of adult franchise. They were representatives of the various Assemblies in various States. I think this Parliament is the most representative body because it has been elected on adult franchise and really represents the people. Therefore, it is in the fitness of things that the provisions regarding composition of the Legislative Councils should be considered *de novo* and the principles on which representation was given to some interests should be considered and if they apply to other interests also, they should come in.

I would now like to draw the attention of hon. Members to clause 3 dealing with composition of Legislative Councils. In sub-clause (2), I have given representation to Zila Parishads, block samitis and other local bodies as they come in course of time. That may be laid down by Parliament. I have also provided for representation to panchayats. So also representation is sought to be given to co-operative societies. As regards graduates, the representation proposed is one-twelfth of the strength of a Legislative Council. In item (f), I have given representation for teachers of secondary schools. In (g), provision is made for representation of primary school teachers in Legislative Councils. Item (h) seeks to give representation to bodies representing interests like commerce, industry, trade and business.

I confess I have not been able to make provision for labour representation. I would like that labour organisations like trade unions and others should also find representation in some way in these Councils.

Item (i) makes provision for representation of agriculturists.

In this way, I have given representation to as many interests as are important in our social life. I think those bodies and interests like district boards, panchayats, co-operatives and graduates are going to play a very important part in the future development of our country, and it is only in the fitness of things that they should be given representation in the Councils.

I will not take more time of the House. The Bill is for circulation for eliciting public opinion. There will be sufficient time for us to discuss the matter when opinions are received, when a motion is moved for consideration of the Bill at a later date. Therefore I would request hon. Members and the hon. Minister to support this motion and let the Bill be circulated for eliciting public opinion by 31st December, 1962.

Mr. Chairman: Motion moved:

"That the Bill to provide for the composition of the Legislative Councils of States and for matters connected therewith be circulated for the purpose of eliciting opinion thereon by the 31st December, 1962."

We might fix the time for this Bill. How much time is necessary?

Shri Raghunath Singh (Varanasi): At least two hours. This is a very important Bill.

Shri S. M. Banerjee (Kanpur): This is a very important Bill.

Mr. Chairman: I take it that is agreed. We will have two hours.

श्री रघुनाथ सिंह : सभापति महोदय, हमारे मित्र श्री श्रीनारायण दास जी ने जो विधेयक उपस्थित किया है उसका हम स्वागत करते हैं। मुख्य कारण यह है कि जो काउंसिलों का चुनाव हुआ है उसको देखते हुए हमें अपने विधान में कुछ संशोधन करना है। यह आवश्यकता इसलिये है कि जिस अफसर क्लास को हमने लोकल बाडीज में स्थान दिया है ज्यादातर चुनाव उसके इनीशिएटिव पर होने लगा है। मैं आपको एक उदाहरण देता हूँ। अन्तरिम जिला परिषद् में कहीं कहीं १२० और १३० सदस्य हैं। उनमें एकस आफिशियो मेम्बर की हैसियत से आफिशियल क्लास की तादाद ८० है कहीं ७० है। यह जो आफिशियल क्लास है इसकी हिम्मत रुलिंग पार्टी के खिलाफ वोट देने की नहीं हो सकती।

केवल हिन्दुस्तान में ऐसा है कि हमने अधिकारियों को यह अधिकार दिये हैं, कि वह राजनीति में भाग लें और राजनीति में हस्तक्षेप करें। एक तरफ यदि हम उनको वोट देने का अधिकार देते हैं तो लोकतंत्र का यह तकाजा है कि अधिकारियों को भी हम अधिकार दें कि वह काउंसिलों के लिये खड़े हो सकें और वोट मांग सकें। अभी उत्तर प्रदेश में एक चुनाव हुआ है काउंसिल का उस चुनाव में देखा गया है कि अधिकारीवर्ग ने, चूँकि उनको वोट का अधिकार दिया गया था, खुल कर किसी न किसी पार्टी का समर्थन किया। इस वास्ते सिद्धान्ततः मैं इस बिल का इसलिये स्वागत करता हूँ कि अधिकारियों को जो वोट देने का अधिकार दिया गया है यह लोकतंत्र की बुनियाद पर एक कुठाराघात है और इसको अविलम्ब हटाना चाहिये।

हमारे मित्र श्री श्रीनारायण दास जी ने जो विधेयक उपस्थित किया है उसको अगर देखा जाए तो हमारे कांस्टीट्यूशन की धारा १७१ के अनुसार पांच वर्गों को काउंसिल में मत देने का अधिकार दिया गया था। श्री श्रीनारायण दास जी के बिल का यह अर्थ लगता है कि असेम्बली से जो एक तिहाई सदस्य चुन कर काउंसिल में जाते थे उनको उन्होंने हटाया है और उसको हटा कर उन्होंने एक तिहाई सदस्यों का चार वर्गों के सदस्यों को प्रतिनिधित्व दिया है। उनमें से एक है पंचायत, दूसरा है कोऑपरेटिव सोसाइटी, तीसरा है कमर्स और इंडस्ट्री और चौथा है टिलर आफ दी साइल। ये चार कैटेगरीज आपने रखी हैं। एक तिहाई मेम्बर लेजिस्लेटिव

असेम्बली काउंसिल में चुन कर भेजती थी, उनको अधिकार न दे कर इन चार कैटेगरीज के लोगों को वह अधिकार दिया है। लोकल बाडीज और सैकेंडरी स्कूल्स को आपने दो हिस्सों में कर दिया है। बारहवां हिस्सा आपने उन स्कूलों के अध्यापकों को दिया है जो सैकेंडरी स्कूलों से छोटे स्कूल हैं। इस में ज्यादा फर्क नहीं है। इसी तरह से आपने लोकल बाडीज को दो हिस्सों में कर दिया है, एक म्युनिसिपैलिटी और दूसरा अन्तरिम जिला परिषद्। एक प्रकार से देखा जाये तो यह भी कुछ अंशों में अच्छा है। लेकिन इस बिल में मैं एक संशोधन चाहता हूँ जैसा कि मैंने कहा है कि जो अधिकारी वर्ग हैं जो कि किसी न किसी रूप में सरकार के नौकर हैं उनको काउंसिल के चुनाव में भाग नहीं लेने देना चाहिये।

साथ ही साथ मैं इस बात का समर्थन करता हूँ कि चूँकि यह बहुत महत्वपूर्ण बिल है इसलिये इसको जनता की राय जानने के लिये भेजा जाए, और जितनी राज्य सरकारें हैं उन से भी राय ले कर एक अच्छे रूप में यह विधेयक उपस्थित किया जाए तो अच्छा हो।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

Shri K. C. Sharma (Sardhana): Mr. Chairman, Sir, I may take the House back to the Objective Resolution of the Constituent Assembly. For the first time in this great land of ours, the right to choose their own Government was given to the people. Never before in this land of ours, throughout its history ranging from 4000 to 5000 years, was the common man, the man in the street, the man at the plough, ever given the right to have a say in the formation of government. In the Constituent Assembly in the Objective Resolution, which the great Leader moved, it was settled emphatically that the sovereignty would be vested in the people. What does that mean? It means that every man in the street, who has attained the age of majority, would have the right. Therefore, there should be only one right and no other right. The giving of right to functional bodies was wrong in principle and it has not worked to the good of the people. Rather, it has adversely affected the progress of the people. Therefore, the establishment of councils was bad in principle: it has been bad in practice so far as the result is concerned. Again, what does the Preamble to the Constitution say? Preamble drafted by the Leader of the people himself, the present Prime Minister says: We, the people of India having solemnly resolved to constitute India into a sovereign democratic republic..... There are two conceptions. We, the people of India means every man that has intelligence enough to make his voice heard. No man in the world gives lesser right to himself and greater right to his neighbour. Therefore, it is wrong in principle. Suppose a man is a lawyer; will he give lesser right to himself and greater right to his client, a member of the district board or a member of the corporation or a co-operative body. It is wrong in logic and it is wrong so far as the effectiveness and practice of the institution is concerned. Therefore, I submit that the formation of councils is wrong in principle and wrong in constitutional science and it has done no good to anybody. It is a useless institution; it has no significant functions to perform to the good of the people and has done also nothing good to the people themselves. Take the statistics; how many Bills have been changed? Negligible. Now, what have been the changes? Are they significant? The question of the formation of the Council of State is based on different principle because the people as such and the States as they are organised and established as a political entity have two different existences and functions to perform. A man pays income-tax in his individual capacity and is a different entity from the corporation which also pays the tax and of which he is a member. So, individual citizen has a different right from the right of the State. So, the establishment of the Council of State is justified in constitutional science. But the establishment of the councils is not justified because these local bodies have no right to create a separate existence of their own. So, the councils as they exist today have no basis in the constitutional law; they have proved useless. They need not be allowed any longer, any life whatsoever. I think they have negative functions and have no utility and therefore, no right to existence. With these words, I oppose the Bill.

17.00 hrs.

Shri S. M. Banerjee: Sir I fully agree with my hon. Friend, Shri K. C. Sharma, when he said that these Councils have no utility. I hope it was the idea of the authorities to copy the British Parliament—the House of Commons and the House of Lords. I am of the opinion that these Councils

or the Upper House, the Rajya Sabha, should be abolished in the larger interests of the country. These have little function. Can we possibly have such a costly democracy in our country?

The other day, I was reading a publication by the Lok Sabha concerning the amount spent on the functions of the Lok Sabha itself. I can understand the direct elections from among the people; it has a meaning. But on the question of having Councils in every State and the Rajya Sabha at the Centre, I do not know what the utility of these bodies is.

But there are two sides of the problem. Once we pass this, that is a different matter. Supposing we take it as an unavoidable nuisance, and the Rajya Sabha or the Councils in the States do exist, and if they are going to exist in the country, I would surely support the Bill of my hon. friend, Shri Shree Narayan Das.

In the Statement of Objects and Reasons, my hon. friend has stated as follows:

"It is not necessary that the members of Legislative Assemblies should have the right to elect one-third of the total strength of the Councils."

The recent elections have shown that anybody who can possibly manage to get votes or can manipulate to get votes or manoeuvre to get votes through fair means or foul can become a member, either of the Councils or of the Rajya Sabha.

Without imputing any motive to anybody I should say that in the recent Rajya Sabha elections, all the big industrialists who could never have been elected had there been a direct election, have managed to come in. Now, after earning fabulous profits and after making so many crores, they want to change the policy of the Government; their only way is not to seek direct election but seek indirect election and come to the Councils or the Rajya Sabha and thus change the policy of the Government. That is the intention of those people who want to contest the elections like this.

I have said that I fully agree with Shri K. C. Sharma in his opinion that these Councils should be abolished. But taking it as it is, I surely feel that it is not necessary that the members of the Legislative Assemblies should have the right to elect one-third of the total strength of the Councils. Let there be elections, and I am hundred per cent in agreement with the hon. Mover of the Bill, Shri Shree Narayan Das, when he said that all shades of people, whether belonging to commerce or industry or trade or business or even the tillers of the soil should be represented. I am happy that he has realised that he has omitted one very strong and vocal section of the community—the labourers or the working people. The working class people should also be elected through their various organisations, may be the Indian National Trade Union Congress or the AITUC or any other trade union organisation. Then, really the Councils will be representing so many people, and they will have a good, representative character.

So, I think that this Bill, as it is, will be really something good. What is the present composition of the Councils? A few people are elected on the party basis. If the ruling party is in the majority, naturally the majority will be from the ruling party. If some other reactionary party had come into power, further reactionary elements can be shifted to the Upper House and to the Legislative Councils, and naturally all those people who truly represent the country may not find a place there. I do not say all members are like that, but a good number of those are trying to come in this indirect way, fighting in the indirect election, through the back-door, and coming in like that. I think the House of Lords in Great Britain was meant for the descendants of so many Lords who were there. I do not think India should have such a House in this country. First of all, I totally oppose these Councils and I utilise this opportunity to say emphatically that in this country, where we are dependent much on the foreign resources, we are asking loan after loan from various countries, we want to augment our resources for our Five Year Plans by saving money and avoiding extravagance, I think the greatest extravagance is having the Rajya Sabha and so many Councils. First of all, I want that they should be abolished. But if they cannot be abolished, I accept the suggestion of my hon. friend, to have more real representatives of the people in the country.

I fully support this Bill. I hope that this Bill—at least the spirit of this Bill—will be accepted by the hon. Minister.

Shri C. K. Bhattacharyya (Raiganj): Mr. Chairman, Sir, my ideas on this Bill are partly in consonance with the speaker who has just now preceded me and with some others who have spoken before him. I shall refer to an incident which will bring out what I feel about it. When the American Constitution was framed, after the attainment of independence, they brought into existence two Houses—the Congress and the Senate. A friend of the first President, George Washington, came to see him and told him that he did not like the idea

of having two Houses—the Upper House and the Lower House—and the Upper House was not necessary at all. George Washington brought a very hot cup of tea and presented it to the friend. When the friend found the tea too hot to be taken immediately, he began to pour some of the tea from the cup to the saucer and began taking the tea from the saucer. While he was doing it, Washington said, "Now you understand the utility of two Houses. That is why I put in the Upper House."

So, in a way the Upper House has a utility, but in the position where we are now, that utility, I believe, has disappeared, because now we are running a party Government. A party Government will be run on the basis that the same party will have majority in both the Houses and there can be no question of the Upper House and the Lower House coming into conflict with each other. Of course, some of my friends may remind me at once that we had a Joint Sitting of both the Houses, making a mountain of a mole hill for passing the Dowry (Prohibition) Bill. That came about because of some bungling somewhere considering the position in which we are now, the same party having majority in both the Lower House and the Upper House, the utility of the Upper House that existed at the time when this system originated does not exist now. Taking that view, while this Bill is being put forward for eliciting public opinion, that broader question should also be allowed to be discussed, whether the Upper House has any utility in the present circumstances.

Now I come to the provisions of the Bill—clause 2 (f) and (g). In the present Constitution of the Upper House, so far as the States are concerned, functional representation is provided only for school teachers and for none else. My friend, Shri Shree Narayan Das, has provided functional representation for commerce and industry, trade, and business and he just now told us that he wanted to add labour to it. Of course, if functional representation is to be there, labour should be brought in. But the Councils, as constituted, do not allow functional representation to any but school teachers. Shri Shree Narayan Das has modified that part and has brought in, I believe, primary school teachers, by stating "institutions not higher in standards than that of middle schools". He is trying to allow them to come in that way. For the secondary school teachers there is a provision in sub-clause (f). But the larger part, the part with which I am concerned, has been left out in the present composition as well as in the composition proposed by this Bill; that is to say, college teachers and university teachers have been very unceremoniously left out. Neither the present composition of the Council allows them to have a representation by themselves, nor Shri Shree Narayan Das has made any provision for the college and university teachers. If teachers, as teachers, are allowed to come in, why should they be left out? Let the primary teachers come, let the secondary school teachers come, let the college teachers come and let the university teachers also come.

Shri Raghunath Singh: What about the editors of newspapers? Will they also come in?

Shri C. K. Bhattacharyya: I am very glad that Shri Raghunath Singh has made that suggestion. Since the journalists have been chosen to be described as working journalists and are now under the kind patronage of the Labour Ministry, I believe they will come through labour, if they are brought in. It may be that Shri Shree Narayan Das, when he is replying to the Bill, may say that he has made provision for university and college teachers in sub-clause (e), where he has provided for graduates of three years' standing to be represented in the Council. I make a reply in anticipation that if teachers of colleges and universities are asked to come in as graduates, let the other teachers too be chosen as graduates. Let the functional representation for teachers be abolished altogether and let all of them be put on the same basis so that they can come in only as representatives from the graduates' constituency. That may be one way of doing it, as that would be dealing with the claims of different groups of teachers evenly. Or, if the teachers are to be given representation in different categories, all these three categories of teachers should be allowed to come in.

Here comes in the question of teachers taking part in politics. Both our Education Minister and our Minister for Scientific Research and Cultural Affairs have stressed on many occasions in the university convocations that the students should not take part in politics. But if teachers, as teachers, could take part in elections, how could the students be kept out? So, if teachers are allowed to come in, the students will find their own way of taking part in politics, at least that part of them who have become major. So, that aspect should also be considered when we make this provision for election to the Council.

There is another point on which I would like to speak, and that is the proportions that have been worked out like one-twelfth, one-sixth and so on. These come upto eleven-twelfth of the total membership, being one-twelfth for the Governor to nominate. So, it will fall to the lot of the Governor to decide while nominating as to what number will come to one-twelfth and in working out the actual figures the Governor may find himself in difficulties.

Shri Raghunath Singh: One-twelfth for the Governor.

Shri C. K. Bhattacharyya: Unless there is an even number that gives an easy working out of the one-twelfth proportion, he will find himself in difficulty.

Shri S. M. Banerjee: One-twelfth of the Governor.

Shri C. K. Bhattacharyya: In clause 4 regarding the categories of persons who could come under the Governor's nomination he has mentioned literature, science, art, co-operatives and social service. For Co-operatives under sub-clause 2 (d), he has given representation 'by members of an electoral college chosen by members of co-operative societies'. So, co-operative societies have got representation both ways, by election as well as by Governor's nomination. I do not know whether Shri Shree Narayan Das is so very partial to the co-operatives as to give them nomination both ways.

Shri S. M. Banerjee: He feels a day will come soon when co-operative societies will flood the entire country. He has anticipated that.

Shri C. K. Bhattacharyya: It might be so, but the other groups might think that since the co-operative societies have got representation both ways why should they be denied similar representation both through election and through Governor's nomination. That question may arise and I suggest it to Shri Shree Narayan Das to think about it so that in his reply he may clear it and when this Bill goes for eliciting public opinion the whole thing may come to the public in a very clarified state.

Shri A. C. Guha (Barasat): Mr. Chairman, Sir, it may not be possible for me to support the Bill just in the form in which it has been presented, but surely I would welcome the initiation of a Bill of this nature and I congratulate Shri Shree Narayan Das on his taking up this matter.

The composition of the present Council if not its very existence, is almost an anachronism. The necessity for having a second chamber in the States is not very clear. All the States do not have a second Chamber. Only a few States have got a second chamber. If the other States can do without a second chamber, I cannot understand why the remaining eight or nine States also cannot manage their affairs without a second chamber. But then the present composition of the second chamber in the States is defective from the social point of view and, I think, will be defective if not at present at least in the very near future from organisational point of view also.

The representation of teachers has really done harm to the educational system and to the society. When all functional representations were abolished in the Council it was an act of unwisdom on the part of the Constituent Assembly to give functional representation only to the teachers. I think that is the only functional element which should be kept out of any politics. The chambers of commerce, labour and even the lawyers may have politics; journalists also. They all in a way deal with politics, but teachers are expected to keep themselves completely aloof from politics and education should be kept above all party politics. But by the introduction of teachers' representation in the Council, the entire educational system has become polluted by the unhappy and, I should say, unhealthy influence of politics in this respect, Shri Shree Narayan Das's amending Bill is no improvement, rather it has made the position worse by introducing even the primary teachers. Of course, logically I can understand that if secondary teachers have got representation why primary teachers should not. Logically the position is quite sound, but socially, I think, all these should be abolished. Even on the present basis if certain harm is done at the higher level it is not proper that that harm should be allowed to permeate even to the lower level. So, the primary teachers' representation in the Council as proposed by Shri Shree Narayan Das I cannot accept even on the present basis. But I would suggest that teachers' representation should be altogether abolished. Functional representation as such should not be in any of our legislative bodies.

Sir, article 171(a) of the Constitution says that "as nearly as may be, one-third shall be elected by electorates consisting of members of municipalities, district boards and such other local authorities in the State as Parliament may by law specify". I think under the democratic decentralisation scheme district boards are going to be abolished and in many places municipalities also will be a thing of the past. There is a Bill or a proposal already before the Bengal Government to abolish about one-third of the municipalities of Bengal nearabout Calcutta. They are going to have one metropolitan body to manage the municipal affairs of the entire industrial and adjoining areas of Calcutta. That would cover about one-third of the municipalities now existing in West Bengal. That will make the composition of the legislative councils completely out of date.

Further, Sir, panchayats are being introduced. Under the Directive Principles (article 40) we have to base our village administration on the basis of panchayats. The articles says:

"The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government."

Sir, there is an organisation which has published a booklet giving the proceedings of the Constituent Assembly about the enactment of this particular Article No. 340. I think it would be interesting for Members of the House to go through that booklet. It has been circulated by a voluntary organisation called Association of Voluntary Organisation for Rural Development, with which Shri Jaya Prakash Narayan is connected. During the course of the discussion in the Constituent Assembly, Dr. B. R. Ambedkar vehemently opposed the introduction of panchayat system, but in spite of his opposition the Constituent Assembly carried through the article. The object of that Article of Constitution is that we should base our administration on our village panchayats. So village panchayats should be real basis on which, elections to the Upper House should be made.

In regard to cooperative organisations I do not think it can claim a similar right as the village panchayat organisations. There will be three or four categories of panchayat organisations, three or four tiers. If there has to be an Upper House in the States, it should be based on the representation of the panchayats and no other body. Municipalities and district boards will be eliminated, on the full implementation of the decentralisation scheme. I think this Bill will give occasion to Government to consider the whole question from a radical point of view. They should see that if the Second Chamber is at all to be retained it should be composed on proper representation of the people and if any functional representation is to be given that should be given to all the functional sections of the country, like Chambers of Commerce, lawyers, journalists and many others. I think the functional representation should all be abolished—not only of the primary and university teachers, but also of secondary teachers. I hope Mr. Das will not press for the acceptance of this Bill. He has only asked for its circulation and Government should circulate it and this may provide an occasion for the country and for Government to examine the utility, the proper functioning and composition of the Second Chamber not only in the States but also here.

Shri Bhattacharyya has mentioned that the same party will be in a majority in both the Houses. That may not always be the position. We should also consider the situation that may arise when one of the two Houses may not have majority of the same party as it frequently happens in the United States.

So, the whole question should be considered *de novo*, I think Shri Shree Narayan Das deserved our congratulation and thanks for giving us and Government this opportunity of examining this question of having Second Chambers at all and, if we should have a Second Chamber, what should be its proper function and composition. From that point of view I hope Government will accept this motion of my hon. friend that this Bill be circulated for eliciting public opinion.

Shri P. R. Chakravarti (Dhanbad): The Bill, as has been moved before the House raises two questions. The first is whether the very concept of the retention of Upper Houses in the States as well as at the Centre has to be accepted in its present form or in any amended form. The very concept itself is based on a legacy of the past. One friend from the other side was mentioning the British system. The British also had it from some other system, and that came from the Roman system thousands of years ago. It was the concept of having an Upper House where the elder statesmen should be there so as to temper the mood exhibited by enthusiastic forces of the country and give it a final shape. That was the idea, namely, that the elderly statesmen should re-model everything with deliberate judgement and cool calculation, and thereby give it a sober character. But as, we find in U.K. it gave some importance on the hereditary basis to the feudal rights. That is an anachronism. Nobody will follow it today.

Let us take the case of United States of America. They have so many States there, with differing interests. They wanted to have the interests of those regional areas represented, so that whether there was very heavy population or not in a State each of them would have same elected members in the Senate. There, the Upper House has only two members from each State who are elected directly by the people, and so they have the sanction of the will of the people.

But, if we have an other system, where the Upper House is brought into operation through some indirect method of election and give it a weightage, which only tries to safeguard

the vested interests we must condemn it as such. And today the Upper Houses both at the Centre and also in the States, have no useful purpose whatsoever. If they claim to represent the people, they claim it by an indirect form. And thereby all forms of pressures come into the force, so that some of them may utilise this election in favour of certain vested interests. As my friend Shri S. M. Banerjee was saying, some very important industrialists would try their mettle in the election to the Lower House, get themselves defeated, push themselves forward and then find a place in the Upper House. This is what is happening in the States also.

If the principle as such has to be discussed, it has to be discussed very thoroughly. If the circulation of this Bill brings that issue as well, I would endorse circulation because it gives us an opportunity to say that the Upper House, as it is today, even without the amendment or with the amendment, is an anachronism. The people have their rights of direct representation already in the Lower House. How does Upper House help? It is neither a revising authority, nor a body of elderly statesmen; nor is superior importance attached to it as it is done in the U.S.A. In the U.S.A. each State sends only two members to the Upper House. There, they have no Ministers responsible to Parliament. The Senators are very powerful people, more important than any Minister in any country in the world. That analogy does not come in here. I endorse fully the suggestions made by some Members, including one prominent journalist also, that we have to consider whether the Upper House as it is functioning in the different States should exist at all. If the issue is raised in the House, on that occasion, we shall have to express our mind. I am very definite in this matter that there must be no departure, no special privilege or no special consideration for the Upper House in the Centre or for the matter of that in West Bengal or in any other State. The very concept of retaining the Upper House has to be discussed in its entirety. I reserve my comments for suitable occasion.

Shri A. C. Guha said that District Boards are going out. District Boards have to go out because Zilla Parishads are coming. Naturally, it is the concept of Panchayati Raj that will obliterate all the remnants of the past institutions, which have been functioning there—irresponsible and arbitrary. Today, Panchayati Raj is coming to the fore. To give it prominence, we must have some provision so that the persons connected with it may find their representation in any council if it at all exists, as today, they are there. The attempt of Shri Shree Narayan Das to draw the attention of the country by circulation of this Bill is clearly a happy attempt and I, therefore, stand here to endorse it. But, the provisions of the Bill have to be examined in their entirety. After we receive the opinions of the different areas of the country and the different organisations also, we shall have to discuss again.

should also come into the picture. But the other question which has been raised by some hon. friends here is whether at all the teaching community or the teaching profession should have anything to do with politics is a very big question. But that question cannot be discussed as such here because we have already made provision for their representation in the Legislative Councils, which function today in the States, So, that question cannot come up here.

Naturally, we shall have to take all this up when public opinion is gathered from all over the country.

Shri Warior (Trichur): I am very sorry that I find it very difficult to agree with the aims and objects of this Bill which has been brought forward by one of our senior legislators, namely Shri Sree Narayan Das. The reason for my opposing this Bill, even as a matter of academic interest, is that according to the Constitution itself, all the States have not got the Upper Houses. Some States only have got them. I do not know exactly what was the idea working in the minds of the Constitution-makers when they thought of this institution of an Upper House in India.

Actually, in our country, what has happened is this. The power is with the people. But there was certain interests in the country which did not like that all the power should be wielded by the common people and they thought that some brake should be applied. For that purpose, they found that they could utilise this outmoded British institution which even in Britain is a weight upon them, and which even Britain wanted to do away with as soon as possible. But there are very many difficulties, most of them historical, traditional and royal, this, that and the other. Also the colonial empire was still lingering, with the result that they did not escape from their own vicious circle. Otherwise, they would have done away with the House of Lords long ago. That is, as far as I understand, the present state of affairs even in Britain.

For instance, in panchayati raj, if we adopt decentralisation, ultimately the central secretariat of the State becomes only a small place with a few people, experts, whose responsibility will be, in the final analysis, to prepare the State

Budget. The implementation part will come down from the district level to the panchayat level. The three tiers will be implementing the schemes and spending the money allotted, the only exception being certain central subjects which cover areas beyond the boundaries of the districts. For instance, if there is a State transport system, it may not be controlled or directed or administered by a particular district. It may be done by a particular department in the central secretariat.

Now what has happened is that there is the utmost centralisation in the State secretariats without any responsibility on their part. They in the district implement all the schemes, but the smallest clerk sitting in the secretariat can throttle all the schemes. That is what is happening at present. Suppose I ask the District Collector why such and such scheme adopted at the Development Council meeting is not implemented. He will say that the secretariat at Trivandrum or Madras or whatever it is, has not sanctioned that. Who is there to sanction? Does the Secretary of the particular department actually examine the paper? No. An ordinary clerk writes a marginal note saying 'No, not yet' or 'Let us wait'. Then all the counter-signature appear below *ipso facto* without anybody looking into the file.

We call the secretariat in our place as 'Shri Kovil', which means the *sanctum sanctorum* of the deity. Even a peon who gets into the secretariat is most unwilling to get out. An engineer who is qualified in foreign countries may be there. But even he will not be able to do anything unless he satisfies a small fry in the secretariat. That is the anomalous position. We want to dethrone these small fries. We want that this centralisation must be done away with. The central secretariat must not function in that manner. They have got the authority, but not the responsibility which is with the district authorities. The district officer is taken to task at the Development Council meeting. He says: 'What can I do?' Here is a typical instance. A district officer of the agriculture department was coming from Trivandrum; the jeep got punctured, very near Alleppey on the road. Now he is empowered to spend only Rs. 25 maximum. So he has to purchase a tyre for Rs. 75. He has to get the sanction of the Central Secretariat for that. All the time the jeep must be kept there on the main trunk road. He thought that instead of leaving the jeep there on the road, open for pilferage, he might purchase the tyre, a matter of Rs. 75. Down came the order, the hukam from above. 'Who asked you to spend this amount?' A Rs. 16,000 worth of jeep can be allowed to lie on the trunk road day and night all through the weather, but the District Officer is not able to spend a mere sum of Rs. 75 to have a new tyre. This is the system which is working at present. This applies to all places more or less. This system was introduced by the British. It must be broken. People's participation must be there. This is, in essence, what is called decentralisation. For this the Council is unnecessary. It will not only be unnecessary, but it will be an impediment. It will be an irremovable brake, a stumbling block in the march of democracy.

Even academically thinking, I cannot agree with this idea of having these Councils remodelled. I am not attributing any motive to Shri Shree Narayan Das or any other member. What strikes me is this. Everybody is dissatisfied with the Council. There are only two ways; either to end or to mend it. Shri Shree Narayan Das in his goodness of heart, wants to see some of these old men still rejuvenated by some *soma kalpa* or *kaya kalpa*.

Shri Shree Narayan Das: Provisions are there.

Shri Warrior: He does not want to say that all these people who have almost become senile in democracy or imbecile in health should be sent away all of a sudden from the political and administrative field. Let them be there. They are venerable old men. There must be some place found. Which is the place? The place is the impotent Council. You must have at the same time, some potency. So, take labour leaders and representatives of Chambers of Commerce and like that. Inject life into them. But this subterfuge may not work in our country when it is planned economy. When it is anarchic economy, there is every chance for it. But, anarchic economy in the wider context of the world has little chance to survive.

In a planned economy you must have a plan flowing from the nursery school upward which will be attuned to that planned economy. Social side, thought and everything, and Parliament also should be so. Then only there is a chance of survival. Otherwise, there is no chance. I think these Councils, even if you inject new elements and new blood and new vitality into them, cannot survive because it is an outmoded system copied and imitated from a place where now they themselves find it a stumbling block in their onward march. They are doing away with it bit by bit, not of course, in a revolutionary way.

When I mention that, to my mind comes the most recent controversy in Britain about the institution of Royalty. There is a huge controversy going on even now; Members of Parliament are taking part in it; and they say that this outmoded

system of Royalty must be ended. It is in that world context that we here, think of having these Councils rejuvenated like this. I do not think it is necessary for decentralisation for representation of these functional organisations.

Here, in our country that sort of functional life has not come as in ordered, regimented socialist society. I can understand that. But, it is not like that. Here there is the Chamber of Commerce; there are 101 institutions and 301 associations. For instance, even at present, one Chamber of Commerce is not taking part in the international organisation. Therefore, the F.I.C.C. has been kept away. How can we get representation? In the working class organisations, there are four Central organisations and there are so many dissident groups. Society organised on functional life has not attained functional representation: it is all eye-wash. You may have a semblance of that in the upper house. With all that knowledge only I am speaking that it is all an eye-wash and a facade for certain other things. Let us not play with democracy like that. Each and every nerve must be tuned to the success of our Plan and national reconstruction. I hope ultimately Shri Shree Narayan Das realises that it is ineffective and imbecile. Of course one has to applaud his motive because he wants to rehabilitate these people somehow. So, I cannot support this Bill.

श्री लहरी सिंह (रोहतक): सभापति महोदय, ग्राम आदमियों का ख्याल है और तमाम जनता का ख्याल यह है कि अपर हाउस जो भी रूलिंग पार्टी होती है उसका तोहफा होता है और जो भी पार्टी एलेक्शन में मदद करती है, उसको रूलिंग पार्टी कहती है कि तुम्हें एम० एल० सी० बनवा देंगे। तुम्हें राज्य सभा में भिजवा देंगे और तुम्हें यह कर दिया जायेगा और वह कर दिया जायेगा। दरअसल यह अपर हाउस रूलिंग पार्टी ने अपने उन मेम्बरों को खुश करने के लिये रक्खा है जिनको कि वह डाइरेक्टली नहीं ला सकी है। उनको जैसे अंग्रेजों के वक्त में कह दिया जाता है कि जाओ तुम्हें मुरब्बे मिल जायेंगे, तुम्हें यह तोहफा मिल जायेगा, उसी तरह से जो कोई भी रूलिंग पार्टी होती है वह अपने आदमियों को जहां कहीं भी यह अपर हाउस है वहां पर इनको एकोमोडेट कर लेती है। दरअसल यह अपर हाउस रूलिंग पार्टी ने अपने आदमियों को एकोमोडेट करने के लिये ही बनाये हुए हैं। लेकिन ग्राम जनता की आवाज का जहां तक ताल्लुक है जितनी भी असम्बलजी है उस में हर एक मेम्बर की स्पीच आप उठा कर देख लें। हर एक सेशन में हर एक की यही डिमांड रहती है कि खुदा के वास्ते इस अपर हाउस को तोड़ दो हमारे काफी डेवलपमेंट प्रोग्राम्स हैं और थर्ड फाइव इयर प्लान में काफी रुपया लगने वाला है और जिस पर कहते हैं कि सफेद हाथी बांध लो। अब इसका नतीजा क्या होता है? काफी खर्चा उस पर होता है। पब्लिक रोती है। उस पर आये दिन टैक्स लगते हैं। अभी पंजाब में लगे हैं और अन्य जगहों में लगे हैं। सब कहते हैं कि खुदा के वास्ते इस सफेद हाथी को हटा लिया जाये। अपर हाउस को एबोलिश करने की सब की मांग है और अगर इसको एबोलिश कर दिया जाता तो मैं तो इसे वैलकम करता ही पब्लिक भी वैलकम कहती और दूसरे लोग भी वैलकम वैलकम कहते।

मैं श्री श्रीनारायण दास को इस के लिये मुबारकबाद देता हूं कि वह यह प्रस्ताव हाउस के सामने लाये। रूलिंग पार्टी के होते हुए भी एम० एल० एज० को कौंसिल के बारे में जो राइट नहीं दिया है उनसे उसको छीनना चाहा है उससे मैं बड़ा खुश हूं और यह वाकई उन्होंने एक बड़ा कदम यह सुझाव दे कर उठाया है। लेकिन मुझे अदृष्टा है कि कहीं आखिरी वक्त में यह अपने इस प्रस्ताव को वापिस न ले लें क्योंकि फैसला उन्हीं की पार्टी को करना है फायदा उन्हीं को होता है किसी अपोजीशन के आदमी का फायदा नहीं होने वाला है। यह जो उन्होंने कदम उठाया है कि इन के एम० एल० एज० जो कि हर एक सूबे में अक्सरियत में हैं वह कौंसिल में एलेक्ट करके किसी को न भेज सके, यह वाकई बड़ा भारी

कदम है और मैं इसके लिये उनको मुबारकबाद देता हूँ। मैं चाहूंगा कि वह अपने कदम को पीछे न हटाये लेकिन मुझे अंदेशा है कि आखिरी वक्त में जब लीडर आफ दी हाउस उनको समझायेंगे तो मेरा खयाल यह है कि वह इसको वापिस ले लेंगे और अपना कदम पीछे हटा लेंगे।

तीसरी बात मैं यह अर्ज करना चाहता हूँ कि जहाँ देखो बस एलेक्शन ही एलेक्शन है। देहातों और शहरों में सब जगह एलेक्शन की ही धूम मची हुई है। किसान खेती न करें, दुकानदार दुकानदारी न करें बस एलेक्शन के चक्कर में पड़े रहें। पहले तो पंचायतों के एलेक्शन हों, और उसके बाद में कुछ दिनों में ब्लाक समितियों के एलेक्शन होंगे। सारा देश चक्कर में हो जायेगा। फिर ब्लाक समिति के बाद में जिला परिषद् का चुनाव होगा, जिला परिषद् के बाद विधान सभा का चुनाव होगा और उसके बाद में वह अपर हाउस का होगा। लोग कहते हैं कि भाई हर रोज एलेक्शन ही एलेक्शन है आखिर यह क्या गवर्नमेंट है।

जहाँ इतने एलेक्शन रखे हैं तो जो सम्बन्धित क्लोजेज हैं उनको गौर से पढ़ा जाये। बी० सी० और डी० क्लोज इस बारे में हैं। बी० और सी० क्लोजेज तकरीबन एक हैं क्योंकि आजकल डिस्ट्रिक्ट बोर्ड्स तो रहे नहीं। जिला परिषद् भी हैं और ब्लाक समिति भी हैं। लेकिन एक बात मैं अर्ज करूँ, अब मालूम नहीं कि हाउस के मेम्बर्स छिपा रहे हैं या इनके नोटिस में नहीं आया कि इस इनडाइरेक्ट एलेक्शन से कितनी रिश्वत बड़ी है। इस इनडाइरेक्ट एलेक्शन से एम० एल० एज० का कितना एंक्लाक गिरा है। कम से कम मैं अपने सूबे के बारे में कह सकता हूँ कि हमारे चीफ मिनिस्टर ने खुद कहा है कि मुझे बड़ा अफसोस है कि हमारे यहाँ जो पंचायत बनी ब्लाक समिति में जो आदमी बने वहाँ खुल्लमखुला १०० रुपये की रिश्वत दे कर उन में चल गये उनसे कहा गया कि अगर ब्लाक समिति में आना चाहते हो तो, १०० रुपये दो और रूपया मिलने पर राय दे दी। एक बड़ा भारी सेठ था। वहाँ से दिल्ली ले आया। होटल में ठहराया और अपनी राय दे गया। अब आम जनता का यह खयाल है कि रिश्वत ले ले कर इनडाइरेक्ट एलेक्शन से ब्लाक समिति बनी है।

एक बड़ी दिलचस्प मिसाल मैं आपके सामने रखना चाहता हूँ। एक आदमी ने कोशिश की खड़ा हुआ तो उसकी एक राय भी न हुई। लोगों ने पूछा कि तेरी राय अपनी तो थी तो वह कहने लगा कि लोगों ने मेरी हाँ भर रखी थी कि दूँगे। मुझे ५०० रूपया मिल गया। कहता था कि ३०० रूपया मिल गया। मैंने सोचा ३०० रूपया ले लो, राय तो मेरी हो जानी ही है तो उन्होंने दी नहीं और उसने भी अपनी खुद नहीं दी। यह फीचर इनडाइरेक्ट एलेक्शन का आ रहा है। इससे इस तरह करप्शन बढ़ रहा है। जिस बौड़ी को हम इतनी इज्जत देना चाहते हैं जिसको हम डिसेंटलीजेशन करके इतनी पावर देना चाहते हैं उसमें रिश्वत चले, वह रिश्वत मांगे और रिश्वत दिया करे। तो यह कितने अफसोस की बात है। जिला परिषदों में भी रुपये दिये गये। ब्लाक समितियों के एलेक्शन के ज़िन्ने और एम० एल० सीज० के एलेक्शन के लिये खुले आम पंजीव में और दूसरे सबों में रिश्वत चली। अब क्या यह हमारे लिये शर्म की बात नहीं है? दरअसल वाक्या यह है कि जहाँ भी इनडाइरेक्ट एलेक्शन है वहाँ करप्शन का बाजार गर्म है और यह इनडाइरेक्ट एलेक्शन करप्शन को लीड करता है। वहाँ फेदरटिज्म इस तौर पर बरती जा रही है कि न पार्टी का खयाल है और न आदमी का खयाल है वहाँ तो बस मेम्बरों के लिये कैश पेमेंट होत

है और उसी के आधार पर यह इलेक्शन हो रहे हैं। अब लोग इसको देख कर हंस रहे हैं कि यह भी एक अजीब मजाक हो रहा है। इसलिये मैं तो अर्ज करना चाहता हूँ कि अपर हाउस बिल्कुल रहना ही नहीं चाहिये और अगर रखना भी है तो इसका इलेक्शन सिर्फ पंचायतों तक ही महदूद रखिये लेकिन यह जो ट्रेडर्स, कामर्स, इण्डस्ट्रीज और साहूकारों को आप वहाँ ला रहे हैं तो यह तो बाबा रात रात में लोगों को खरीद लेंगे। इनकी ताकत तो इतनी है कि ज्यादा तादाद में न होते हुये भी यह एम० पीज० को बिन ओवर कर लेते हैं, उनको रुपया दे देते हैं कि हमारा केस प्लीड करना। इसलिये आपको इतने साहूकारों को इसमें नहीं लाना है। अगर कहीं आपने बिड़ला या टाटा को यहाँ पर बिठा दिया तो यह पैसे के बल पर और रोज दावतें खिला कर कभी मेडेंस होटल में तो कभी किसी होटल में दावत खिला कर लोगों को खरीद लेंगे। इसलिये इसमें कामर्स, इण्डस्ट्री और ट्रेड को बिल्कुल न आने दो। अब चैम्बर्स, चैम्बर आफ कामर्स आदि में बड़े बड़े साहूकार हैं और यह बड़े बड़े कामों में अपना असर डालते हैं और इनका असर इतना है कि थर्ड फाइव डियर प्लान में इन की बहुत सी बातें मानी जाती हैं। इसलिये मेरा कहना यह है कि कामर्स, इण्डस्ट्री और ट्रेड को इसके पास बिल्कुल न फटकने देना चाहिये अन्यथा इससे बड़ा भारी नुकसान होगा और मुल्क को बड़ा भारी धक्का पहुंचेगा। रिश्वत अगर पंचायत को दोगे तो पंचायतों के मेम्बर्स इतनी लम्बी तादाद में हैं कि वहाँ यह रिश्वत नहीं चल सकती। ब्लाक समिति में रिश्वतें चलती हैं। रिश्वत जिला परिषदों में चल जायेगी। जहाँ तादाद थोड़ी होगी वहाँ कम्पटीशन होगा। इनडाइरेक्ट एलेक्शन से रिश्वत-सतानी बढ़ेगी और आपका मुल्क बदनाम होगा। आपको पब्लिक डिमोरेलाइज होगी। आज लोगों में इसको ले कर बड़ी भारी नुकताचीनी है। अब हमारे लीडर्स कहते हैं कि रिश्वत नीचे की तरफ है लेकिन मैं उनको बतलाना चाहता हूँ कि आप और चीजों को छोड़ दीजिये जो आपके पंचायत के मेम्बर हैं जो आपके ब्लाक समिति के मेम्बर हैं वह रिश्वत में बिकते हैं और जहाँ ऐसी हालत हो तो उस मुल्क का क्या हाल होगा। इसलिये यह रिश्वतसतानी और करप्शन की सारी लानत को जो कि इनडाइरेक्ट एलेक्शन की वजह से चल रही है उसको खत्म करने के लिये अपर हाउसेज को तोड़ दिया जाय। लेकिन अगर यह न टूटे तो कम से कम इतना तो कर ही दें कि सिवाय इन दो जमातों के यानी पंचायतों के और टीचर्स जो कि पांचवीं जमात को पढ़ाते हैं, प्राइमरी को पढ़ाता हो या कालिज में पढ़ाता हो इन दो जमातों को ही यह इलेक्शन करने का हक देना चाहिये और बाकी लोगों को नहीं देना चाहिये।

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, May, 26, 1962/Jyaistha 5, 1884 (Saka).

8th June, 1962.

LEGISLATIVE COUNCILS (COMPOSITION) BILL—contd.

Mr. Deputy-Speaker: The House will resume further discussion of the motion moved by Shri Shree Narayan Das on the 25th May, 1962.

"That the Bill to provide for the composition of the Legislative Councils of States and for matters connected therewith be circulated for the purpose of eliciting opinion thereon by the 31st December, 1962."

Out of two hours allotted for the discussion of this Bill, 1 hour and 24 minutes have already been taken up on the 25th May, 1962. Thirty-six minutes are now available.

Shri D. C. Sharma (Gurdaspur): Mr. Deputy-Speaker, I wholeheartedly support this Bill. There are some persons who have been doubting the value of the Upper Chamber. But, I believe they are not thinking along democratic lines, but along different lines. Democracy is a series of checks and counterchecks. It is a series of balances and counter-balances. I think the Upper House is an effective check on

the Lower House as the Lower House is sometime a check on the Upper House. People have said that these Upper Houses either at the State level or the Central level have not justified their existence. I doubt it very much. When we passed the Dowry Abolition Bill here, it went to the Upper House. I remember it very well that the Rajya Sabha suggested certain amendments. We did not accept those amendments. The result was that a joint session of the Rajya Sabha and the Lok Sabha was held in order to resolve the tangle. This single instance is enough to show that the Upper House sometimes does exercise some kind of a restraint on what we have done. Similar things are happening in the States also. Therefore, I believe that Upper Houses have come to stay in this country and as time passes, I think they will gain greater and greater influence and be more and more useful.

At the same time, I believe that some of these Upper Houses either in the State level or the Central level serve as a training ground for future politicians. I find a constant stream of migration from the Lower House to the Upper House and from the Upper House to the Lower House. I find this more from the Upper House to the Lower House than from the Lower House to the Upper House. That is because some of our friends gain very good experience in the Upper House and then come to the Lower House so that we can profit by that. Similarly, some of us go to the Upper House so that we can give them the benefit of our experience. Therefore, this two-way traffic which is going on at the State level and at the Central level is bound to increase the legislative potential of our country. I think there is no harm in having it.

After having said that, I come to the provisions of this Bill. I think Shri Shree Narayan Das has put before us a very rationalised, scientific and up-to-date picture of the Upper House at the State level. When I look at the composition of the Councils in the different States, I think they are a ramshackle combination of very diverse elements and they are often lacking in some of those elements which are essential to our national solidarity and essential to give them the look of national character. I think that we took a lot of pains in drafting the composition of the Lok Sabha or the Legislative Assemblies and we did not pay much attention to the drafting of the composition so far as the State Councils are concerned. We thought that we could make do with whatever provisions were made. Therefore, our Councils do not give that unified picture of our country as the Lower Houses, the Lok Sabha and the Rajya Sabha and the Assemblies give. Therefore it is necessary that our Legislative Councils should be a kind of macrocosm. They should be the builders of the various elements of our national life. I think this has been done in this Bill. I find that so many different kinds of interests have been given representation in this Bill. I need not go over the list. I think that the representation that has been given to primary school teachers is a very very welcome feature of this Bill. I happen to be connected with some educational organisations and all my life I have been a worker in those federations. I know that all of them have passed resolutions to the effect that a primary school teacher should not be regarded as inferior to a secondary school teacher or a college teacher or a University teacher.

15.40 hrs.

At present, a college teacher can have representation as a graduate, as a representative of the graduates. But the primary school teacher has no say in the matter. I think that if a democracy ignores the majority, it ignores them at its own peril. The majority of teachers are primary school teachers in this country, and they are the back-bones of our educational system. If we do not give them a fair deal in this matter, I think we are doing a lot of injustice to them. I do not think we can go on heaping insults on the primary school teachers by not giving them a living wage, by not giving them all these amenities and so on. At the same time, I would also submit that we are not doing proper justice to the primary school teachers by denying them this franchise.

I think the primary school teachers will be welcome in the State Legislative Council and will be able to voice the hopes and needs of fellowteachers. I think that this is a very good provision which this Bill has, and I am sure that this Bill is going to be useful from that point of view.

Of course, I would have liked that the Governor should have been given a little more elbow-room. Unfortunately, he has been equated with all others. He should have been given a little more elbow-room because there are many interests which cannot be represented through elections, and the Governor should have the right to represent them by nomination; but of course, it should be specified what kind of persons he should nominate; that should not be left to his free choice.

I therefore, think that this Bill which, I hope, will be accepted by Government will go a long way in making our State Legislative Councils fully representative of the people, and will make them some sort of constitutional forums, forums of a kind which will enable people not to say that the Second Chamber in our legislatures should be abolished. They will give such a good account of themselves that the talk of their

abolition will come to an end. This can happen only if the whole structure is revised and changed, and the way of change has been indicated by Shri Shree Narayan Das. I, therefore, wholeheartedly support this Bill.

Mr. Deputy-Speaker: I would like to know how many more hon. Members want to participate in the debate on this Bill.

Some Hon. Members rose—

Mr. Deputy-Speaker: I find that there are four or five more Members who want to speak. I shall extend the time for this Bill by half an hour.

Dr. L. M. Singhvi (Jodhpur): The proposed Bill, although it is a private Member's Bill, the uniform fate of which in this House is not particularly heartening, seeks to enlarge and broaden the composition of second Chambers or second Houses in the various States in which they exist. I think it is a matter of very great importance, and I must congratulate the hon. Mover of the Bill in drawing the attention of this House and the country to this important problem of altering the composition of the Second Chambers in the various States in which they exist.

The idea of a Second Chamber as enshrined in our Constitution is founded in the pluralistic or the functional theory of State, which emerged against the absolutist theory of State which preceded it and which dominated the scene during the entire nineteenth century. We find, however, as an exposition of the pluralistic theory would show, that society is composed not of one dominating power, not of one dominating influence but of various pockets, and various pulls of power which compose the contours of a given society. In order to make Legislative Councils fulfil their functions adequately, it is only meet to consider that we may broaden the composition of these Second Chambers.

Many of the Members who have spoken before me have concentrated their attack on the existence of the Second Chambers themselves. I do not think that this is an appropriate time for us to consider the desirability or otherwise of continuing Second Chambers in the country, because, the proposal as it stands only seeks to alter the present or the existing composition of the Legislative Councils.

Some of the Members seem to have been under a misapprehension that this would involve an amendment of the Constitution. I might, if it is necessary to do so, allay the apprehensions that have been given expression to by some of the Members, by a reference to article 77 (2) which says that:

"Until Parliament by law otherwise provides, the composition of the Legislative Council of a State shall be as provided in clause (3)."

This gives sufficient latitude to Parliament to enact an appropriate law to provide for a different composition of Legislative Councils in the various States in which they exist. And this is what the Mover of the Bill, I suppose, has attempted to do.

The Second Chambers have their own utility. It may be that they have by and large outlived the original rationale of their existence. It has been said by a very renowned French commentator, Professor Achille Mestre, that:

"English democracy continues to feel the need of a directing elite whose economic independence guarantees its probity."

I would like to draw the attention of the House to the fact that the rationale of the Second Chamber in England is no longer that it happens to be the House of wealth, or the House consisting of those, who because of their economic independence, can be relied upon for their intellectual probity. Indeed, it is no longer necessary in England to allege, as was the ancient custom, 'great estate' for aspiring to the membership of the House of Peers.

I suppose that the situation is somewhat analogous in this country where we have not created Second Chambers in order to provide refuge for the rejected in politics, or to provide an umbrella for the politically projected (after perhaps long struggles in the field of politics). Unfortunately, there is that danger that lurks in the functioning of a Second Chamber. A greater danger lurks inasmuch as they are made the mainstays and the hotbeds of partisan politics, and, therefore, before we consider the composition or the alteration in the composition of Second Chambers in the country, we should also strive to achieve a situation in which Second Chambers are not made the play-grounds of partisan politics. Unfortunately, partisan politics completely dominates the scene in all Second Chambers in the various States, and wherever more Second Chambers are sought to be created, the idea is to provide a shelter for those rejected or for those seeking protection in politics.

I think that the Bill as it stands may not be acceptable to many of us, but I would certainly support, and support with all the emphasis at my command, that the idea deserves a greater consideration in the country, and the proposal to circulate the Bill for eliciting public opinion thereon has all my commendation and support.

Shri B. K. Das (Contai): When this matter was discussed in the Constituent Assembly, the members belonging to the different States were given the opportunity to exercise their choice of having a second chamber or not having it in the States. As a result, 8 States gave their consent to have Legislative Councils in their States. Therefore, today we find that there are Legislative Councils in 8 of our States, while the rest have no such Councils.

There was a lot of opposition to the existence of a second chamber in States. The reason was that it would serve no useful purpose, it would be dilatory and would hamper the progress and passage of Bills according to popular will. On the other hand, those who supported the idea were of opinion that a second chamber would be an effective check against hasty legislation, it would be a permanent body and the element of nomination provided for would enable the House to have certain number of people who would be experts, who would possess expert knowledge in arts, science, literature, co-operative organisations and the like. So these 8 States gave their consent to have Legislative Councils.

The Bill that is before us and the circulation motion would give an opportunity to the country, at least to the 8 States, to assess how far the idea has worked and how far it has been successful and how far the purpose of their constitution has been fulfilled.

Although the Bill does not go to the principle of the existence or otherwise of Legislative Councils, the Mover has tried to give a new shape to the composition of these Councils. When we look at the present composition of second chambers, we find certain loopholes. It appeals to reason to ask why when there is representation for teachers, only secondary and university teachers should be given representation and not primary teachers, if teachers are given representation, it stands to reason that all those who come under that category should be able to have representation.

Again, local authorities have been given a chance to have their representatives in the Councils. Today the local authorities have been undergoing a substantial change. We find that the panchayats, the zila parishads are coming into existence and the district boards and local boards are being abolished. Now that the panchayats are having a good deal of say in the matter of administration, in the matter of developmental work in the country and they are taking the place of the previous local authorities, they should be given representation in Legislative Councils. Of course, the Mover has tried to do away with representation from the Legislative Assemblies. He thinks it is not necessary that Members of the Legislative Assemblies should have the right to elect one third of the total strength of the Councils. He wants to do away with that provision.

I do not wish to go into other details. I wholeheartedly support the motion for circulation so that the country will have an opportunity to express its opinion as regards the composition of the Councils, and also the principles on which Legislative Councils are formed. I support the motion.

Shri Nambiar (Tiruchirapalli): I have gone through the Bill. Firstly, I would like to submit that we are opposed in principle to these so-called Legislative Councils, for the reason that these Councils in the States as well as in the Centre—the Rajya Sabha—are not directly responsible to the people but are elected indirectly by an electoral college. But here the question is not whether we must continue to have these Councils or not. The question is whether these Councils which we have in the States should be broadbased and made more democratic by getting members elected from the panchayats, from co-operative societies, from teachers etc. etc. In that way, the Mover has brought in a new element of furthering the democratic principle. To that extent, we support the idea.

But while going through the Bill, I find the procedure rather cumbersome. Will the process of election contemplated be practicable? For instance, certain percentages have been fixed for certain sections. Even under the present method of electioneering with adult franchise, composition of the voters' list, delimitations, actual polling etc. We have a hell of a trouble. Add to that, if you also say that so much percentage of seats should go to teachers of five years' standing, so much for graduates of three years' standing etc., the very preparation of the voters list will be difficult which may in turn give room for unholy or undesirable practices. Therefore, it may well create administrative difficulties. Even if the difficulties can be narrowed down, if even after eliciting public opinion, we find that more modifications can be accepted and the Government may also come forward to elaborate the process of democratisation of these Councils, we can support this Bill only with the qualification I have stated.

Therefore, let us accept the circulation motion, let us gather opinions and consider the question and see if further democratisation of these Councils cannot be done. But I have this reservation that we shall stand for the abolition of the Legislative Councils and the Council of States. That is our ultimate aim. But since that is not directly concerned with the proposal now before the House, I cannot canvass that here just now. With this reservation, I support the motion.

Shri Oza (Surendranagar): I welcome the Bill and agree with the objects which prompted the Mover of the Bill to introduce it. I must, however, say that I do not agree with the details as have been given in clause (3), but this is not the stage to draw his attention to the various defects which I find in clause (3) and in various sub-clauses.

As a matter of principle, I am in favour of having two chambers in this big country. With a very vast population, some States having even five or six crores, it is not possible under our democracy to give representation to all the interests by direct election. It is not possible for so many interests to contest the general elections. So, unless they are brought into the second chamber by providing them with certain facilities of electoral colleges through which they can come and ventilate their viewpoints, I do not think we will be able to give them representation.

Democracy means rule by discussion and consultation. So many problems come nowadays before the legislature, problems concerning various interests in the country, and unless those interests have an opportunity of expressing their viewpoint when the legislation or the problems come up for discussion, I do not think they will have satisfaction, and that will not be a happy state of affairs.

So, particularly because we have got so many interests, and there is such a vast population, I think the purpose of the Bill should be welcomed, and I think the Government will give serious consideration to it or bring legislation of their own. I think Government will be wise in accepting the principle behind the Bill.

Shrimati Sarojini Mahishi (Dharwar North): Some States in India are unicameral and some are bicameral. The very fact that some are unicameral is proof of the fact that there need not be a second chamber, but then there are States which are bicameral also. We cannot say that the second chamber is a waste. In England the House of Lords is criticised severely as being a waste of money, waste of time and energy also, but the principles on which the second chamber is provided under the English Constitution are a bit different from ours. Neither does the Indian second chamber resemble the Senate under the American Constitution. The Senate under the American Constitution has got equal representation from each State, two Members representing each State. The Senate has also got certain powers which neither the Indian second chamber nor the English second chamber have. The Senate has got certain judicial powers also and the power of impeaching the President, but we are not very much concerned with the powers of the Senate or the second chamber in England but we must remember that we have tried to combine the American and the English constitutions in our system. Our Constitution cuts the *via media* between the presidential and the cabinet forms of Government.

We cannot always say that the second chamber is a waste of money. The main object of the second chamber in our country is to check hasty legislation as it is called, but then how far it is able to check hasty legislation, and whether it is able to influence the lower House is also a problem to be considered, because there are so many conditions in the Constitution which restrict the power of the upper house. For instance, if a Bill lies with the second chamber for six months without being attended to, there is provision for a joint session. If certain amendments are made by the second chamber, they may or may not be accepted by the lower House. In the matter of Money Bills, under article 110, the second chamber has not got any authority at all.

But the second chamber has been so constituted that such elements as the so-called experts in social services, in literature, in science, and people who are representatives of different bodies within the States, will be able to reflect public opinion on the measures passed and endorsed by the lower house. Therefore, because it is more representative of the whole country, and because people who cannot directly contest the elections will be taken as representatives of different bodies in the second chamber, the second chamber has its own role to play in matters of legislation.

As article 171 stands today, it provides:

"Until Parliament by law otherwise provides, the composition of the Legislative Council of a State shall be as provided in clause (3)."

(3) Of the total number of members of the Legislative Council of a State—

- (a) as nearly as may be, one-third shall be elected by electorates consisting of members of municipalities, district boards and such other local authorities in the State as parliament may by law specify."

Therefore, the bodies that can send members to the upper house have to be decided by Parliament itself. The words "such other local authorities" will include a number of other institutions which may spring up in course of time. The Mover of the Bill has, therefore, brought the measure in time to meet the changing needs of the country. The law is made for the people, and not the people for the law. So, as values change in course of time, there are certain amendments that ought to be introduced in the Constitution also. The Constitution is no doubt written and rigid, but at the same time, it is also flexible. With the changing political and social values, certain changes have to be introduced.

Clause 3 (b) of the same article reads:

"as nearly as may be, one-twelfth shall be elected by electorates consisting of persons residing in the State who have been for at least three years graduates of any university in the territory of India or have been for at least three years in possession of qualifications prescribed by or under any law made by parliament as equivalent to that of a graduate of any such university;"

So, Parliament has reserved to itself the right of determining what are the institutions or bodies that will be eligible to send representatives, who will be considered as graduates, and which are the universities to be recognised.

Now that we have got panchayatiraj and co-operative societies in our country, it is but right that they should have representatives in the upper house which represents the different bodies in the country. So, I think that now panchayats and co-operatives should be included under "such other local authorities" in Clause 3 (a) of article 171.

I see the hon. Member has tried to introduce certain amendments as far as the composition of the second chamber is concerned. He wants one-sixth to be elected by members of co-operative societies and one-sixth by members of panchayat bodies, and he wants that a teacher to be eligible as a voter should have served for five years in a recognised school. Without going into the details, I concede that proper representation for these bodies and interests is essential in the second chamber as long as the second chamber continues. Whether the second chamber should continue or not is not the question under consideration now. As long as it continues, what should be the representation in it? That is the main problem. So, I feel that according to the changing values of society, it is but proper that we should have such representation, and I hope Parliament will not find any difficulty in introducing the necessary changes.

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra): I have listened with rapt attention to the speeches delivered by the hon. Members, and I must confess that I have greatly profited by the wisdom reflected in the speeches.

I do not want to inflict a speech on this House since the proposition for the circulation of the Bill for eliciting public opinion thereon will be accepted by me. Therefore, any speech will be unnecessary. But since the general question has been raised, a question of vital importance, a question of principle, that is, about the existence of the utility of the second chamber, even though that does not strictly come within the purview of this Bill because this Bill takes the existence of the second chamber for granted and provides only for its composition, I would fail in my duty if I do not speak a few words about that.

While speaking against the utility of second chambers, it has been pointed out by some hon. Members that antisocial elements who fail to get elected in the direct elections at the polls come by manipulation and by device to the upper chamber. I do not want to express any such opinion. Even popular leaders of political parties who fail at the polls come to the second chamber. Everybody can find his way to the second chamber if he can, but accepting for argument's sake that anti-social or undesirable elements who get defeated at the polls come to the second chamber by manipulation, may I humbly ask, is it the fault of the system itself. It must be admitted that the cure does not lie in the abolition of the second chamber but the cure is somewhere else which must be searched for by political parties in the country.

Then, criticisms about the upper House in the Union, the Rajya Sabha, and about the upper Houses in the States have been made in the same breath, and the same reasoning has been adduced. I would here point, out that the Rajya Sabha

the upper House in the Union, and the upper Houses in the States cannot be treated on the same level and no comparison can be made about them. So far as the upper House in the Union is concerned, it has a base in the constitutional theory itself. It has a purpose, a significance. If we miss it, we miss the essence of the Constitution of India. May I humbly point out that so far as the Council of States or the upper House in the Union or the Rajya Sabha is concerned, it is not a hereditary body as we have in the House of Lords in Great Britain.

Shri P. K. Deo (Kalahandi): I do not like to interrupt the hon. Minister, but may I say that the hon. Minister should not have opted from the Rajya Sabha to the Lok Sabha.

Mr. Deputy-Speaker: Order, order.

Shri Bibudhendra Mishra: It is not a hereditary body as the House of Lords in Great Britain. It is not a nominated body, an appointed body, as we find in Germany. It is not an elected body as we find in the United States of America. But it is a body which consists of the representatives of the States, the constituent units, the constituent States. That is the fundamental object which gives rise to the federal principle. It must be remembered that India is a Union of States. Article 1 of the Constitution says:

"India, that is Bharat, shall be a Union of States."

Then, if you turn to article 80 of the Constitution, you will find that "not more than two hundred and thirty-eight representatives of the States" shall be represented in the upper House.

Therefore, if India is a Union of States, if we have accepted the federal principle so far as the Constitution is concerned, it is essential that the States should have representation, that the States should have a voice and so the Council of States is representative of the States.

Shri Nambiar (Tiruchirappalli): They can be represented through the constituencies. The Lok Sabha Members are coming from the States.

Shri Bibudhendra Mishra: They are representatives of the people. I make a difference between the representatives of the people and the representatives of the States. That is the essence of the federal Constitution. My hon. friend need not worry about it, since even in the Soviet Union also there is an Upper House. Therefore, he need not very much bother about the Upper Houses here.

Shri Nambiar: Not that the Soviet Union has got it. Here there is no utility.

Shri Bibudhendra Mishra: Apart from that, that the Upper House should consist of representatives of States has been expressed more than once in the Constitution itself. You will find that it serves a purpose; it is not given to the Lok Sabha even. I will refer to article 249 which prescribes that if the Council of States passes a resolution by two-thirds majority, then a subject can be brought from the State List to the Concurrent List. That right has been given to the Council of States and not to the Lok Sabha on the basis and the principle that the Council of States is representative of the States.

Similarly, if you look to article 312 of the Constitution, it is again said there that the Council of States alone and not the Lok Sabha that can, by a resolution create an all-India service which will then be created by the Union Government but shall work under State Governments. Therefore, in the entire scheme of things, the Council of States has been put in a different category altogether.

There is another difference. It has been provided in the Constitution that the Upper House in a State can be created and abolished in the manner laid down by article 168, but there is no question of the abolition of Rajya Sabha, unless it is done by a general way by way of an amendment of the Constitution. That difference is there. So far as the second chamber in the States is concerned, it is not founded on any constitutional principle, but it has been founded on reasons of history and dictates of prudence. It was an idea that originated in the 19th century when it was thought that any second chamber was better than none. But in the present day world, opposition is growing to the idea of second chamber in the constituent units of a federation; in spite of that, in almost all the bigger countries, excluding certain small countries, there is a second chamber. It will be seen that under the Government of India Act, 1935, there was a second chamber in some of the States and it is only being continued under this Constitution, because the members representing those States in the Constituent Assembly wanted that the second chamber should be continued there.

As I have said, opposition is growing very much against it to the extent that somebody remarked that if the Upper House agrees with the Lower House, it is superfluous; if it disagrees, it is pernicious. May I point out in the present context of things, with all the complexity of legislation that touches the human life and human relationship at all points when discussion is fettered by Rules of Procedure because of lack of time, and rightly so, is it not necessary to have another body where non-controversial Bills can be originated, discussed and given final shape, so that it can find an easier way for passage in the Lower House? Is it not necessary to have a body of experts, of able men, who know the problems, who know the aspirations of the society and at same time who are independent of the public opinion of the moment, to discuss the problems and lend their advice? Therefore, even today certain political thinkers feel that the second chamber has its own utility.

Coming to the Bill itself, I must congratulate the mover that at least he has raised a discussion on a vital point. He has rightly pointed out in the Statement of Objects and Reasons that with the decentralisation of democracy, new institutions are springing up, which should find representation in the second chamber in the States. I agree with him. But I would only point out that article 171, as it stands does not create any bar to that, because it is not exhaustive. It is only indicative and it says that whenever it is necessary to give representation to any new panchayat body or any body that is coming up, it is always competent for the Parliament by law to give such representation. It will be seen that some of these panchayats and block committees have also been given representation, according to the recommendations of some of the States, after the passing of the Constitution and they have been incorporated in the Fourth Schedule of the Representation of the People Act, 1950.

So far as the representation of the cooperative societies, middle school and primary teachers, organised interests of trade, commerce and industry and tillers of the soil are concerned, these matters were discussed in the Constituent Assembly itself. After much discussion, the makers of the Constitution thought that it would not serve any useful purpose. A point was raised by a Member that we are not bound by what the makers of the Constitution thought, because Parliament is supreme. Nobody doubts the supremacy of the Parliament. That is not a matter to be debated, because that has been accepted. If the Parliament feels at any point of time that the historical conditions or social conditions have changed so as to justify the inclusion of new elements in the State upper house, it is always competent to provide for it. But I would only ask the House to consider one thing, whether any giving representation to loose elements or whether by giving representation to primary school teachers or co-operative societies the purpose that we have in mind about having a second chamber would be served.

Dr. L. M. Singhvi (Jodhpur): What is meant by "loose elements"?

Shri Bibudhendra Mishra: Tillers of the soil in the sense that they are not organised.

Dr. L. M. Singhvi: Are they loose elements

Shri Bibudhendra Mishra: Not organised. I only want the House to consider whether any useful purpose will be served thereby. It is a good thing, after the passing of the Constitution, this question has been raised and it is going for eliciting public opinion thereon. The House will have a further opportunity of discussing it.

Sir, with these words I accept the proposition that the Bill be circulated for eliciting public opinion.

Shri Shree Narayan Das (Darbhanga): Mr. Deputy-Speaker Sir, I am very thankful to all the hon. Members who have participated in this debate and also to the hon. Minister who has supported the motion for circulation which I moved the other day. Some of the hon. Members were pleased to place their view points regarding the existence or otherwise of a second chamber both at the Centre and in the States. I think this question is beyond the provisions of the Bill. As the hon. Minister has stated, the Constitution provides for the establishment of both the Council of State at the Centre and legislative councils in many of the States. It also provides for the abolition of legislative councils or for creation of such legislative councils where they do not exist at present. It is for the Government, if they think that bicameral legislatures both at the Centre and in the States are not necessary, to bring forward the necessary legislation. Any hon. Member here can bring forward such a legislation.

My purpose in moving this motion for circulation of this Bill is to provide for the various elements that have come into being after our attaining independence. I have pointed out in the Statement of Objects and Reasons that a

number of organisations in the sphere of local bodies and other interests have come into being. It is in the fitness of things that such organisations which have come up after independence are given representation in the councils.

Sir, I was one of these who thought that these bicameral legislatures were unnecessary. I have heard many hon. Members here who have also advocated abolition of bicameral legislatures. Some hon. Members have also expressed the opinion that there is necessity of having bicameral legislatures. It is said that only those who have been elected by the people represent the people and it is that body consisting of such people that is representative of the people. But I would like to point out one thing. Some hon. Members sitting opposite have many times pointed out that the Congress Party was not able to secure the majority of the votes and therefore they are not representative of the people. In that way, in the system of voting that is prevalent in our country, where there is this vote by the majority, it can be said that the Government, the whole House is not representative of the country.

Shri Nambiar: We only said that you get minority votes and majority seats. We did not question the other aspect.

Shri Shree Narayan Das: You analyse the public opinion as expressed in the voting. Then this House also cannot be said to be a representative body.

Mr. Deputy-Speaker: The Minister is accepting your motion. Is a long speech necessary?

Shri Shree Narayan Das: As the hon. Minister has just said democracy means government rule by discussions and deliberations. A large number of persons participate in the deliberation and discussion and when something comes out it will be the representative opinion of the people. Therefore, the question whether there should be bi-cameral legislature or not is beyond the scope of the Bill. If any hon. Member is in favour of that proposal, he has to bring forward a Bill on which we will also have to secure the assent of the various State Assemblies, because a majority of the State Assemblies have decided that they should have a Legislative Council. Also, articles 167, 168 and 171 of the Constitution will have to be amended if we do not want bi-cameral legislatures.

Some of the hon. Members said that they were not agreeable to the provisions of the Bill. In that case, after public opinion has been received on the Bill, when it comes before the House for consideration, amendments can be moved and the provisions changed or amended.

Here I would like to refer to only one point. Shri Warior said that I was trying to perpetuate the representation of vested interests. There is already provision in the Constitution for representation of particular interests. I am only trying to give representation to labour, commerce and some other important elements of society, which are playing a very important part in the social structure of our country. As it is, representation is given only to a few elements. I have tried to give representation to as many elements as possible.

Then I do not understand what the hon. Minister meant by saying that I have given representation not to loose element I have made provision for the representation for the various bodies like commerce, business and tillers of the soil. Further, the representatives of these interests will be elected by their organised bodies.

With these words, I again request hon. Members to support my motion as I have moved it.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the composition of the Legislative Councils of States and for matters connected therewith be circulated for the purpose of eliciting opinion thereon by the 31st December, 1962."

The motion was adopted.

Any person or public body desiring to submit an opinion on the Bill should do so by the 15th December, 1962 at the latest through the Delhi Administration only and not direct to the Lok Sabha Secretariat or to any Ministry of the Government of India.

By Order,

R. K. BAWEJA,

Secretary (Law & Judicial),
Delhi Administration, Delhi.

No. F. 2(2)/62-Ind.—The following is published for general information :—

List of Licences issued under the Industries (Development and Regulation) Act, 1951—For the week ending 30th June, 1962.

Name and full address of the undertaking (and location)	Articles of manufacture and capacity (and type of licence i.e., NU/SE/NA/COB/Shifting)	Licence number and date.
1	2	3
SCHD. IND. NO. 4(2)—INTERNAL COMBUSTION ENGINES.		
1. Indequip Private Ltd., Reid Road, Railwaypura, Ahmedabad (Gujarat).	Shifting from Bombay (Maharashtra) to Naroda Village-Ahmedabad (Gujarat State). (Shifting)	L/4(2)/1/EBI/62, dated 23-6-62.
SCHD. IND. NO. 5(4)—ELECTRICAL LAMPS.		
2. Philips India Ltd., Delhi— Ajmeri Gate Extension, New Delhi-1 (Bombay-Maharashtra).	Shifting from Calcutta to Bombay (Maharashtra) (Shifting)	L/5(4)/32/LEFI/62, dated 11-6-62
SCHD. IND. NO. 7(5)—AUTOMOBILES.		
Annual Capacity		
3. Shri P.L. Kapoor, 3, Friends Colony, New Delhi-14 (Faridabad, Punjab) Proposed name : Napco Bevel Gear of India Ltd.	(i) Bevel Gears (ii) Universal Joints (iii) Axles, Shafts (iv) Speed Reduction Gears (v) Spoor Gears (N.U.)	L/7(5)/14/62-AEI, dated 16-6-62 43,200 tons.
4. Rameshbhai Babubhai Patel, Station Road, P.O. Kar- amsad, (Valabh Vidya Nagar Industrial Zone, Gujarat). Proposed name : M/s. Bharat Auto Parts Manufacturers Pri- vate, Ltd.	1. Complete Clutch Assembly less facings 2. Inlet and Exhaust Valves 3. Universal Joint Cross Assembly 4. Tie Rod Ends 5. Steering Wheels (N.U.)	3,00,000 Nos. 1,20,000 Nos. 1,20,000 Nos. 1,44,000 Nos. 72,000 Nos.
Annual Installed capacity.		
5. C. & N. Commar and Co., Lakaki, Poona-5, (Poona, Maharashtra) Proposed Name : M/s. Atlas Motor Products Ltd.	(a) Finished Automotive Components made from aluminium and non-ferrous castings (b) Universal Joint Cross and Bearings (c) Tappets and Guides (N.U.)	1200 Tons. 4,20,000 Nos. 4,80,000 Nos.
Annual Capacity (in Nos.)		
6. Shri K.L. Vardarajan, Kuni- yamuthur, P.O. Coimba- tore-8, (Madras).	Carburettors suitable for use on. 150 C.C. Lambretta Scooters 150 C.C. Vespa Scooters 50 C.C. Mopeds (N.U.)	10,000 10,000 10,000
SCHD. IND. NO. 7(7)—TRANSPORTATION OTHERS, SUCH AS FORK LIKE TRUCKS AND THE LIKE.		
Installed capacity p.a.		
7. Mckenzie's Ltd., King Ed- ward Road, Sewri, Bom- bay-15 (Sewri Bombay, Maharashtra).	(i) Hy Driver (ii) Hy Caddy Stackers (iii) Hy Druped Forklift trucks (1 tons and 2 ton capacity and battery/diesel driven) (iv) Portable Pallet trucks (N.U.)	300 Nos. 75 Nos. 50 Nos. 100 Nos.
SCHD. IND. NO. 18(1)—INORGANIC FERTILISERS.		
Tons per annum.		
8. Fertiliser Corporation of India Limited, D-25, South Extension, Area, Part II, Ring Road, New Delhi, (Namrup, Distt. Lakhimpur-Assam).	Ammonia Sulphuric acid Ammonium Sulphate Urea (N.U.)	60,000 79,200 1,00,000 55,000
SCHD. IND. NO. 19(11)—INSECTICIDES, FUNGICIDES, WEEDICIDES AND THE LIKE.		
9. AGR-IND. Private Ltd., Ratafin Government Electric Fac- tory, P.O. Bangalore (Ban- galore, Mysore).	(S.E.)	50 tons. p.a. L/19(11)/17/62-A&I, dated 23-6-62.
SCHD. IND. NO. 22—DRUGS AND PHARMACEUTICALS.		
10. Parke Davis (India) Ltd., Saki-Naka, Marel, Andheri-Kurla Road, Bombay-70 (Bombay-Ma- harashtra).	Norlutate tablets Sytren syrup (S.E.)	600,000 tablets p.a. 14,400 tablets p.a.
Annual Capacity.		
11. Raptakes Brent & Co. Private Ltd., Dr. Annie Besant Road, Worli, Bombay-18, (Bombay-Maharashtra).	Adecettes Dragees Hovettes Dragees (N.A.)	18,000,000 dragees. 18,000,000 dragees.

12. Smith Stanistreet and Co. Ltd., 18, Covent Road, Vagistan Annual Capacity. 24,00,000 tablets L/22/121/62-Ch. III, dated 27-6-62
Calcutta-14 (Calcutta, West Bengal). (N.A.)
13. Rallis India Ltd., (TCF Division), Ralli House, 21, Isoprenoline Spray bottles (10 ml. each) Annual capacity 40,000 bottles L/22/122/62-Ch. III, 27-6-62.
Raveline Street, Bombay -1 (Bombay, Maharashtra) Alk-aphiz tablets 10,00,000 tablets. (S.E. & N.A.)

SCHD. IND. NO. 26(2)—OTHER PRODUCTS OF FERMENTATION INDUSTRIES

14. V.S. Tyagaraja Mudaliar, Torula Yeasts, 1,000 tons per annum L/26(2)/1/62-Ch. II, 26-6-62.
Express Estate, Mount Road, Madras-2 (Madras) (N.A.)

SCHD. IND. NO. 27(4)—FLOUR

15. The Wallace Flour Mills Co Ltd., 9, Wallace Street, Fort, Bombay-1, Wheat Products (Flour and other products of wheat) Capacity per month. 6750 tons only. L/27(4)/2/62/Ch. II 15-6-62.
(Grant Road, Bombay, Maharashtra). (S.E.)
16. The Wallace Flour Mills Co. Ltd., 9, Wallace Street, Wheat Products (Flour and other products of wheat). Capacity per month. 14,500 tons L/27(4)/3/62-Ch. II, 15-6-62.
Fort, Bombay-1 (Mazgaon, Road Bombay, Maharashtra) (S.E.)

SCHD. IND. NO. 36(2)—HARD BOARD INCLUDING FIBRE BOARD CHIP BOARD AND THE LIKE

17. Shri B.M.—Patel, Bahuchraji Chipboard (Particle board) 7200 tons per annum L/36(2)/38-Ch. IV/62, 19-6-62.
Road, Baroda (Baroda, Gujarat) (Proposed name). (N.U.)
Plywoods Ltd., Baroda.

Statement showing the Changes in the Names of the Owner/undertaking effected During the week ending 30th June, 1962

Licence No. and date	The name of original owner/the original name of the undertaking.	The name of the new owner/the new name of undertaking.
L/1A(7)/10/LEI(B)/61, 16-9-61 (N.U.) (Delhi).	M/s. Sikands Private Ltd., New Delhi.	Sikands Ltd., New Delhi.
L/7(5)/41/60-AEI, 15-12-60 (NU) (U.P.).	M/s. Tandon Whitelary (India) Ltd.	M/s. Auto Udyog Ltd.
L/14/35/56	M/s. New India Development Corporation	M/s. Buckau Wolf New India Engineering Works. Ltd.
L/8A/(4)/4, 10-8-56 (NU) (Maharashtra).		
Regn. Certificate No. 19/26/R/5(1)/9, 31-5-54, (West Bengal).	M/s. Greeves Cotton & Crompton Parkinson Ltd.	Mr. A.M. Steele.
L/9/39/61-MEI 27-3-61 (NU) (Maharashtra).	M/s. Nagindas Ratilal & Co.	M/s. Steeling Hydraulic Co. Ltd.
Regn. Certificate No. R/10(a)/410	M/s. New Karntak Cotton Mills	M/s. The Karnatak Cooperative Textile Mills Ltd.
R/23(1)/377, 31-5-54 (Mysore).		
Reg. Certificate No. R/10(a)/175	The Hindustan Spg. & Wvg. Mills Co. Ltd.	The Thackersay Mooljee and Co., "Sir Vithaldas Chambers, 16, Appollo Street, Fort, Bombay.
R/23(1)/164, 31-5-54 (Maharashtra).		
L/7(5)/82/61-AEI, 31-10-61 (NU) (Maharashtra).	M/s. Detroit Bevel Gear of India Ltd.	M/s. Bahri Automobile Corporation Private Ltd.
Regn. Certificate No. R/27(4)/2, 18-7-57 (Gujarat).	M/s. Kohinoor Grain Mills	M/s. Kohinoor Flour Mills Private Ltd.

Licences Revoked During the week ending 30th June, 1962.

Licence No. and date	Name of the party	Articles of manufacture
L/17(4)/61-LEI(A), 31-7-61 (NU) (Maharashtra).	M/s. Amartara Industries, Bombay	Laboratory Balances.
L/24(1)/N-36/60, 9-5-60 (NU) (Delhi)	M/s. Kulwant Rai and Sons (Private) Ltd., Delhi	Paper and pulp.
L/1B(2)/5 Met-60, 3-9-60 (NU) (Maharashtra).	Surrendra (Overseas) Private Ltd., Bombay	Aluminium foils.
Regen. Certificate		
R/10(e)/51	The Sun Mills Company Private Ltd., Bombay.	Artificial Silk Textiles.
R/23(5)/49, 30-4-54 (Maharashtra).		

Name and full address of the undertaking (and location)	Articles of manufacture and capacity and type of licence i.e., L/NU/ SE/NA/COB/Shifting)	Licence number and date
1	2	3
SCHD. IND. NO. 1A(3)—IRON AND STEEL CASTINGS AND FORGINGS		
1. Shi D. N. Jhunjhunwala, 308/9 Linghi Chetty St. Madras-1 (Chingleput, Madras).	Steel forgings 4200 tons p.a. on the basis of maximum utilisation of plant and equipment. (N.U.)	L/1A (3)/76/62-EI (M) 26-6-62
SCHD. IND. NO. 5(3)—ELECTRICAL FANS		
2. Beni Engineering Works, Ltd., Crooked Lane, Calcutta (Calcutta, West Bengal).	Industrial Blowers Exhausts and ventilators 1,000 Nos. per annum. (N.A.)	L/5 (3)/10/EEI/62 27-6-62
SCHD. IND. NO. 8(A-I)—TEXTILE MACHINERY		
3. Shri G. P. Koshik, Birla Lines, Subzi Mandi Delhi-6) (Madhya Pradesh)	<i>Annual capacity</i> (i) Roller bearing inserts 6,00,000 pieces (ii) Ball bearing jockey 1,50,000 pulleys (N.U.)	L/8/A-1/34/63-MEI 27-6-62
SCHD. IND. NO. 12-2 : HAND TOOLS, SMALL TOOLS AND THE LIKE		
4. Macks Hard Private Ltd., 56, Commercial Chambers, Masjid Bunder Road, Bombay-3. (Village Kol- shet, Thana, Maharashtra	<i>Gross per annum</i> (1) Steel measuring tapes 18,000 (2) Woven measuring tapes 2,980 (3) Woven measuring tapes-non-metallic 204 (N.U.)	L/12-2/72/MEI-62 28-5-62
SCHD. IND. NO. 19(2)—ORGANIC HEAVY CHEMICALS		
5. The Ugar Sugar Works, Ltd., P. O. Ugar-Khurd, (Distt. Belgaum), (P.O. Ugar-Khurd. Mysore)	<i>Annual capacity</i> Acetone 720 Tonnes. (N.A.)	L/19(2)/8/Chem. V/62. 23-6-62
SCHD. IND. NO. 22—DRUGS AND PHARMACEUTICALS		
6. Biological Products (P) Ltd. Commerce House, Third Floor, Meadows Street, Bombay-1 (Hyderabad, Andhra Pradesh).	Di-amino-di-phenyl Sulphone 10 tons per annum. (S.E.)	L/22/123/62-Ch. III 30-6-62
SCHD. IND. NO. 23(1)—COTTON TEXTILES		
7. General Industrial Society Ltd., 15, India Exchange Place, Calcutta-1 (Champ- dany, Distt. Hooghly, West Bengal).	Shifting from Birati, Dist. 24-Parganas, West Bengal, to Champ- dany, Distt. Hooghly, West Bengal. (Shifting)	L/23(1)/376/62-Tex (B) 25-6-62
SCHD. IND. NO. 23(5)—SYNTHETIC, ARTIFICIAL FIBRES, INCLUDING YARN AND HOSIERY OF SUCH FIBRES		
8. Eldee Velvet and Silk Mills, (P) Ltd., 243-A, Delisle Road, Bombay-13 (Bom- bay, Maharashtra).	Installed capacity of 45 looms for the manufacture of art silk and Nylone fabrics. (S.E.)	L/23/5/26/Tex D/62 28-6-62

Licences Revoked During the week ending 7th July, 1962

Licence No. and date	Name of the party	Articles of manufacture
L/3/3/61-EI(M) 20-7-61 (NU) (Maharashtra)	M/s. The Investment Corporation of India Ltd., Bombay.	Forced and Induced Draught Fans etc.
L/3/1/62—F.C. 30-3-62 (Shifting) (Maharashtra to West Bengal)	Do.	Do.
L/28 (1)/14/60-Chem. II 20-7-60 (S.E.) (Madhya Pradesh)	M/s. Burhanpur Tapti Mills Ltd., Burhanpur RS (Nimar)	Vegetable oil from cotton seed.
L/28 (1)/N-96/59 dt. 16-12-59 (S.E.) (Maharashtra)	M/s. Imperial Oil Mills, Calcutta.	Vegetable oil Rice bran.
L/28 (1)/N-84/59 14-11-59 (N.U.) (Madras)	M/s. Imperial Oil Mills Ltd., Madras.	Vegetable oil from oil cake.
L/19(2)/7/NU/Chem(I)/61 27-2-61 (NU) (Gurjat)	M/s. Alchenie (Private) Ltd. Ahmedabad	Pentecrythritol

Delhi, the 27th July 1962

No. F. 4(1)/62-Ind.—The Chief Commissioner is pleased to re-constitute with immediate effect, the Industrial Advisory Board Delhi, constituted *vide* his notification No. F. 4(1)/61-I&L dated the 24/25th May, 1961, as under:—

Chairman

1. Dr. Yudhvir Singh.

Vice-Chairman

2. Director and *Ex-officio* Secretary (Industries), Delhi Administration, Delhi.

Official Members

3. Financial Adviser-cum-Housing Commissioner, Delhi Administration, Delhi.
4. Dr. P. C. Alexander, Development Commissioner, Small Scale Industries, Government of India, Ministry of Commerce and Industry, New Delhi.
5. Secretary (Finance), Delhi Administration, Delhi.
6. The Development Commissioner, Delhi.
7. The Director of Employment and Training, Delhi Administration, New Delhi.
8. Shri Balbir Singh Saigal, Engineer Member, Delhi Development Authority, Regal Building, New Delhi.
9. Shri Gandharv Sain, Director, Small Industries Service Institute, Opposite Okhla Industrial Estate, New Delhi.
10. Shri B. N. Seth, Deputy Commissioner, Municipal Corporation of Delhi, Town Hall, Delhi.
11. Shri A. K. L. Rao, Planning Engineer, Municipal Corporation of Delhi, Town Hall, Delhi.
12. Shri K. C. Mittal, General Manager, Delhi Electricity Supply Undertaking, Delhi.
13. Shri J. C. Verma, Deputy Director (Industries), Government of India, Ministry of Community Development and Cooperation, New Delhi.
14. The Chief Inspector of Factories, Delhi.
15. The Deputy Director of Industries (Planning), Delhi Administration, Delhi—*Member Secretary*.
16. The Deputy Registrar of Cooperative Societies, Delhi.
17. The Community Project Officer (Industries), Delhi.

Non-official Members

18. Shri B. D. Pathak, General Manager, Delhi Cloth Mills, Delhi.
19. Shri M. L. Seth, General Manager, D.C.M. Chemical Works, Najafgarh Road, Delhi.
20. Shri M. D. Dalmia, General Secretary, Birla Cotton Spinning and Weaving Mills, Co. Ltd., Subzimandi, Delhi.
21. Shri Hans Raj Gupta, Prop. Raj Engg. Works, 8/32, Ajmeri Gate, Delhi.
22. Shri P. C. Badhwar, Prop. M/s. Badhwar and Co, 883-East Park Road, Delhi.
23. Shri Mohan Singh, Prop. Oriental Building and Furnishing Co., Connaught Circus, New Delhi.
24. Shri Hem Chand Jain, Gali Umrao Wali, Pahari Dhiraj, Delhi.
25. Shri D. C. Mazumdar, Managing Director, Scindia Potteries Private Ltd, Factory Road, New Delhi.
26. Shri T. N. Bhaskar, C/o. Capital Industries Ltd, Serai Rohilla, Delhi.
27. Shri Mulakh Raj Bhalla, C/o. M/s. Hindustan General Industries Ltd, Village Nangloi, Delhi.
28. Shri G. C. Mukherjee, Retired Deputy Director of Industries (Planning), 16-Alipur Road, Delhi.
29. Shri A. N. Ahuja, M/s. Ahuja Radios, Okhla Industrial Estate, New Delhi.
30. Shri C. K. Nair, 63-North Avenue, New Delhi.
31. Shri Radha Raman, 2-Dr. Rajindra Prasad Road, New Delhi.
32. Shri Shiv Charan Gupta, M.P., 50-Darya Ganj, Delhi.

33. Shri Naval Prabhakar, M.P., Kirti Nagar, New Delhi.
34. Ch. Brahm Prakash, M.P., 11-Curzon Lane, New Delhi.
35. Miss Shanta Vashist, M.P., 20-Alipur Road, Delhi-6.
36. Mirza Ahmed Ali, M.P., 4380-Mohalla Shah Ganj, Lal Kuan Bazar, Delhi.
37. Shri Brij Mohan, Chairman, Standing Committee of the Municipal Corporation of Delhi, Town Hall, Delhi.
38. Shri Bachittar Singh Bawa, Chairman, Delhi Electricity Supply Undertaking, Municipal Corporation of Delhi, Town Hall, Delhi.
39. Shri Ram Lal, 1163, Katra Mohsin Khan, Kashmere Gate, Delhi. (Municipal Councillor).
40. Shri Tulsi Ram Seth, 1-Underhill Road, Delhi (Municipal Councillor)
41. Shri Mangat Ram, Village Basai Darapur, Najafgarh Road, New Delhi. (Municipal Councillor).
42. Shri Dalip Singh, 212-Village Shahpur Jat, Delhi (Municipal Councillor).
43. Dr. Gurbax Singh, C/o. M/s. Guroo Pharma (P) Ltd., 35-M, Block, Connaught Circus, New Delhi.
44. Shri J. R. Jindal, Jindal Oil Mills, Honorary Secretary, Shahdara Manufacturers' Association, Delhi-Shahdara.
45. Shri Brij Bhushan Saran, B.A. (Com), President Delhi Hindustani Mercantile Association (Regd.), Chandni Chowk, Delhi.
46. Shri Jagjit Singh Bhalla, Prop. M/s. General Radio Corporation, 2/2, Jhandewala Industrial Scheme, New Delhi-1. (The Small Scale Radio and Sound Equipment Manufacturers Association).
47. The President, All India Manufacturers' Organisation (Delhi State Board), 30-Ferozeshah Road, New Delhi.
48. The President, Najafgarh Road Manufacturers Association, C/o. National Chemical Industries, 26-Najafgarh Road, New Delhi.
49. The President, Okhla Industrial Estate Association, C/o. Allied Metal and Engg. Works, 29-Okhla Industrial Estate, New Delhi.
50. The President, Small Scale Industries Association, Rui Mandi, Sadar Bazar, Delhi.
51. The President, Delhi Factory Owners Federation, 2-Underhill Road, Civil Lines, Delhi.
52. The President, Delhi Plastic Cable Manufacturers' Association, Amar Bhawan, Behind State Bank of India, Chandni Chowk, Delhi.
53. Shri Kailash Chand Jain, M/s. Raja Toys and Co, 33-Deputy Ganj, Delhi-6. (representative of Federation of Small Scale Industries of India).
54. The President, Delhi Printers' Association, 26-A, New Central Market, Connaught Circus, New Delhi.
55. The Secretary, Indian Cooperative Union, Taj Barracks, Jan Path, New Delhi.

2. Functions of the Board.—The objects and functions of the Board will be as under:—

(i) *Planning.*—(a) The Board shall take stock of the existing industries and in the light of present development, shall examine the directions in which the productive capacity of this Administration could be developed further.

(b) It shall advise the Government on means and methods to harness the productive capacity of industries and individual factories now lying idle.

(c) It shall explore the possibilities of inspection of industries of national importance for which private enterprise is not readily forthcoming.

(d) It shall advise Government on all questions relating to the development of cottage, Khadi, Handloom etc. industries and various handicrafts.

(ii) *Financial assistance.*—It shall advise the Government on the question of affording financial assistance to needy industries.

(iii) *Procurement of land for industrial purposes.*—(a) The Board shall advise the Government on matters of requirements and procurement of land for industrial purposes of establishing new industries, shifting of existing industries to new sites and other allied matters.

(iv) *Power and water supply.*—The Board shall advise the Government on the matter of supply of power and water to industrial establishments and also suggest provisions for their future development.

(v) *Location.*—The Board shall examine the suitability of different areas for housing industrial establishments. Their decision shall invariably be in conformity with the policy of the Delhi Development Authority.

(vi) *General.*—(a) The Board shall advise the Government regarding action on the lines of the Industries (Development & Regulation) Act, 1951.

(b) The Board may also make its recommendations to the Government on any other industrial matter consistent with the Government policy.

(c) The Board shall also advise Government on such matters as may be referred to it.

3. *Terms of office.*—The Board shall continue to function till further orders.

4. *Working of the Board.*—(i) The Board may meet as often as necessary, but not less than once in three months.

(ii) The meetings of the Board shall be held at a convenient place to be notified by the Secretary.

(iii) The quorum necessary to constitute the sitting of the Board shall be ten members.

(iv) The Board shall have the right to co-opt in a consultative capacity, any person whose particular or special knowledge of any subject may be required by it. Such co-opted members shall not be entitled to vote and shall be present at meetings only for the period during which the particular subject is put before the board.

5. The Board shall form four main Committees, to deal with the problems pertaining to Khadi, Handicrafts, Handloom, Cottage and Small and medium scale Industries. The Chairman of the Industrial Advisory Board shall be the Chairman of these Committees. The members of the Committees shall be from amongst the members of the Board. The Chairman may co-opt other persons interested in particular subjects.

6. Function of the Committees.—

(i) *Cottage Industries and Handicrafts—Committee.*—The functions of the committee will be to advise generally on the problems of small scale and cottage industries including handicrafts in the Administration and in particular to improve and develop production and promote their sales in and outside Delhi. The Committee will also advise on grants and loans to Small Scale, Cottage and Handicrafts Industrialists and for financing the activities necessary for the development and improvement of Handicrafts.

(ii) *Khadi Development Committee.*—The functions of this Committee will also be to advise on problems that are being faced by the Khadi Industry in general and particularly to improve and develop production and promote sales of Khadi goods in and outside Delhi Administration. The Committee will also advise on the question of granting financial assistance to those engaged in the production of Khadi.

(iii) *Handloom Committee.*—This Committee shall take stock of existing position of the handloom industry and in the light of the present trend of development shall examine the measures necessary to increase the productive capacity of the industry. It shall explore the possibilities of marketing the products of handloom industry in and outside Delhi and shall also examine all such other matters as may concern the development of handloom industry.

(iv) *Small and Medium Scale Industries Committee.*—The functions of this Committee will be to advise generally on the problems of small and medium scale industries and in particular to improve and develop production and promote their sales in and outside Delhi. The Committee will also advise on matters relating to grants and loans to the small and medium scale industrialists and for financing the activities in connection with the development and improvement of the said industries.

7. The Board shall have the power to form small sub-committees to deal with the supply of industrial fuel and raw materials, promotion of industries and for consideration of all or any industrial matter that they may find necessary to discharge efficiently the functions of the Board.

By Order,

N. N. TANDON, Secy., (Industries), Delhi Admn.
Delhi.

Delhi, the 30th July 1962

No. F. 12/5/61-Transport.—In exercise of the powers conferred by section 74 of the Motor Vehicles Act, 1939 and all other powers enabling him in this behalf, the Chief Commissioner, Delhi is pleased to direct that the prohibitions regarding the driving of heavy transport vehicles on certain roads during specified hours, as contained in his notifications so far issued under the said section, shall not apply to the Milk Vans used under the Delhi Milk Scheme of the Government of India.

By Order,

K. M. L. GUPTA, Under Secy.
(Transport) Delhi Admn., Delhi.

Delhi, the 30th July 1962

No. F.21(11)/62-Lab.—In exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (XI of 1948) read with the Government of India, Ministry of Labour Notification No. L.P.24(I), dated the 16th March 1949, the Chief Commissioner, Delhi is pleased to make after previous publication, the following rules further to amend the Delhi Minimum Wages Rules, 1950:—

RULES

1. These rules may be called the Delhi Minimum Wages (Second Amendment) Rules, 1962.

2. In Forms VI and VIA, appended to the Delhi Minimum Wages Rules, 1950 (hereinafter called "the said Rules"), in paragraph (5), after clause (c), the following clause shall be inserted, namely:—

"(d) Compensation amounting to Rs."

3. In Form VII, appended to the said Rules, in paragraph (3), after clause (c), the following clause shall be inserted, namely:—

"(d) Compensation amounting to Rs."

4. In Form IXA appended to the said Rules,—

(a) under the heading "V. Fines and Deductions"—

(i) in item (i), for the words, "It shall be such as may be specified by the State Government" the words "It shall be subject to such limits as may be specified in this behalf by the State Government" shall be substituted;

(ii) in item (iii), for the words "It shall be such as may be specified by the State Government" the words "It shall be subject to such limits as may be specified in this behalf by the State Government" shall be substituted;

(iii) in item (x), after the word "societies" the following shall be inserted, namely:—

"or deductions for recovery of loans advanced by an employer from out of a fund maintained for the purpose by the employer and approved in this behalf by the State Government"; and

(iv) after item (xi) the following item and paragraph shall be inserted, namely:—

"(xii) deductions made with the written authorisation of the employed person (which may be given once generally and not necessarily every time a deduction is made) for the purchase of securities of the Government of India or of any State Government or for being deposited in any Post Office Savings Bank in furtherance of any Savings Scheme of any such Government.

Every employer shall send annually a return in Form III showing the deductions from wages so as to reach the Inspector not later than the 1st February following the end of the year to which it relates."

(b) under the heading "VI Maintenance of Registers and Records"—

(i) for the words "shall maintain a register of wages" the words "shall maintain at the work-spot a register of wages in the form prescribed" shall be substituted;

(ii) after the words "Every employer shall issue wage slips" the words "in the form prescribed" shall be inserted.

(iii) for the paragraph "A muster roll shall be maintained by every employer and kept in the form prescribed" the following paragraph shall be substituted, namely:—
"A muster roll, register of fines, register of deductions for damage or loss and register of overtime shall be maintained by every employer at the work-spot in the form prescribed."

- (iv) for the words "Every employer shall keep exhibited at such places selected by the Inspector" the words "Every employer shall keep exhibited at the main entrance to the establishment and its office" shall be substituted.

- (v) after the existing last paragraph, the following paragraph shall be inserted, namely:—

"Register of wages, Muster Roll, Register of fines, register of deductions for damage or loss and register of overtime shall be preserved for a period of three years after the date of last entry made therein.

All registers and records required to be maintained by an employer under the rules shall be produced on demand before the Inspector provided that where an establishment has been closed, the Inspector may demand the production of the registers and records in his office or such other public place as may be nearer to the employers."

- (c) under the heading "VIII claims and complaints",—

for the paragraph beginning with the words "A single application may be presented" and ending with the words "whose wages has been delayed" the following paragraph shall be substituted, namely:—

"A single application may be presented on behalf of or in respect of a group of employed persons whose wages have been delayed, if they are borne on the same establishment and their claim relates to the same wages period or periods.

By Order,

L. S. TITUS,

Secy. (Labour),

Delhi Administration, Delhi.

(Development Department)

Delhi, the 31st July 1962

No. M(9)/60/PD.—Whereas the Chief Commissioner, Delhi is of the opinion that the Gaon Panchayat Chowkri Mubarakabad, Alipur Block, Delhi, has persistently made default in the performance of duty imposed under Delhi Panchayat Raj Act, 1954 relating to the protection of land vested in the Gaon Sabha Chowkri Mubarakabad.

Now, therefore, in exercise of the powers conferred by section 88 of the said Act, the Chief Commissioner, Delhi hereby supersedes the said Gaon Panchayat, and further directs in exercise of the powers conferred by section 88(4) of Delhi Panchayat Raj Act, 1954 and section 161 of the Delhi Land Reforms Act, 1954 that the duties, powers and functions of the said Gaon Panchayat Chowkri Mubarakabad:—

- (i) in respect of development of various kinds and all other work except land management shall be discharged, exercised and performed by the Circle Panchayat Badli; and
- (ii) in respect of matters pertaining to land management work, shall be discharged, exercised and performed by the Deputy Commissioner Delhi.

By Order,

K. P. SINGH,

Development Commissioner,
Delhi Administration, Delhi.

Delhi, the 31st July 1962

No. F.9-A(17)/62-PR(SW).—In partial modification of this Administration Memorandum No. F.18/2/56-Edu., dated the 13th August, 1957, the Chief Commissioner, Delhi is pleased to appoint Kumari Premwati Thapar as Chairman of the After Care Home for Women, Delhi in place of Shrimati Rameshwari Nehru who has resigned.

By Order,

MADHURI SRIVASTAVA,

Under Secy.

Delhi Administration, Delhi.

Delhi, the 31st July 1962

No. F.8(1)61-L&H.—In pursuance of the provisions of sub-section (1) of section 22 of the Delhi Development Act, 1957, and by virtue of the powers of the Central Government delegated to him by the President *vide* Government of India, Ministry of Health letter No. F.8-6/61-LSG, dated the

6th May, 1961, the Chief Commissioner, Delhi, is pleased to place at the disposal of the Delhi Development Authority, for the purpose of development in accordance with the provisions of the said Act, the nazul lands described in the Schedule below on the terms and conditions agreed by the said Authority in its Resolution No. 114, dated the 10th May, 1961.

SCHEDULE

Locality or village	Total area	Khasra No.	Area
I	2	3	Big. Bis.
Big. Bis.			
1. Jia Sarai	125 16	353 121 I	0 5
		367 122 I	2 8
		368 122 I	2 9
		369 122 I	2 1
		383 125 I	0 3
		126 I	2 14
		127.	1 14
		128.	0 17
		129.	1 14
		130/I	1 18
		131.	3 17
		132.	2 18
		133.	2 18
		134.	4 19
		149.	6 11
		328/150	2 3
		329/150	0 17
		341/151	6 2
		342/151	2 17
		343/151	1 10
		344/151	3 1
		152.	0 4
		248/153/I	3 7
		249/153/I	2 4
		154.	2 1
		330/155/I	1 1
		393/331/I	0 5
		394/331/I	0 7
		395/331/I	0 8
		396/331/I	0 10
		156.	1 0
		157.	2 8
		158.	2 12
		159.	0 2
		160.	3 1
		161.	3 18
		272/163/223	2 5
		271/162	1 19
		273/163-223	3 3
		164.	4 10
		242/165	3 13
		243/165	0 4
		166.	1 14
		167.	2 5
		168.	1 10
		169.	2 15
		170.	3 16
		171.	2 16
		172/I	0 6
		173/I	0 9
		174.	5 3
		175.	1 13
		176.	1 5
		177.	1 3
		246/178/2	2 3
		181/2/I	0 15
		336/182/I	1 6
		337/182/I	0 3
		221/2/2	1 1
		401/222/288/2	0 9
		402/222/288	1 18
		289/244/2/2	0 8
Total			125 16

2 Humayunpur

56

0

459/7/10/2

1

2

109.

0

17

111.

2

6

112.

2

1

113.

2

1

114.

1

15

115.

8

3

117/I

0

18

118.

1

2

243.

1

2

285.

3

1

286.

1

5

287.

1

2

Big. Bis.

288.	.	.	3	5
289.	.	.	6	0
290.	.	.	1	3
291.	.	.	1	2
292.	.	.	1	7
295/1	.	.	0	10
296.	.	.	0	19
297.	.	.	2	6
299.	.	.	3	14
301.	.	.	2	3
302.	.	.	1	0
303.	.	.	0	16
304.	.	.	0	10
117/2	.	.	2	8
110.	.	.	2	2

Total . 56 0

3. Kherara	23	14	215.	.	.	4	15
			220.	.	.	1	19
			221.	.	.	2	9
			222.	.	.	3	7
			223.	.	.	1	11
			636/224	.	.	1	18
			637/224	.	.	1	18
			225.	.	.	0	18
			226.	.	.	0	18
			227.	.	.	1	10
			228.	.	.	2	11

Total . 23 14

4. Kulu Sarai	51	7	415/269/2	.	.	0	3
			416/269	.	.	1	0
			417/269	.	.	4	5
			375/2/2	.	.	0	1
			376/2/2	.	.	1	15
			378/2	.	.	1	5
			379/2	.	.	1	8
			380/2	.	.	0	18
			381/2	.	.	6	17
			305/3	.	.	4	2
			306/3	.	.	2	18
			307/3	.	.	3	8
			4	.	.	0	6
			363/254	.	.	5	2
			364/254/2	.	.	1	13
			384/255, 256	.	.	0	8
			385/255/2	.	.	4	14
			386/256/2	.	.	4	0
			9/2/2	.	.	3	13
			266/13/2	.	.	0	11
			267/13/2	.	.	1	4
			14/2	.	.	1	16

TOTAL . 51 7

5. Hauz Khas	5	19	712/343/1	.	.	0	2
			348/1	.	.	0	8
			349/1	.	.	0	5
			721/350	.	.	2	8
			722/350/1	.	.	1	8
			561/351/1	.	.	0	11
			562/351/1	.	.	0	3
			398/1	.	.	0	14

TOTAL . 5 19

SCHEDULE

Locality or village	Total area	Khasra No.	Area
I	2	3	Big. Bis.
Bis. Bis.			
1. Chowkri Mubari-kabad.	32	6	183 . . . 14 8
			184 . . . 1 0
			185 . . . 4 19
			186/2 . . . 5 9
			192 . . . 1 7
			186/1 . . . 0 4
			187 . . . 3 16
			694/188 . . . 1 3
TOTAL			32 6

Locality or village	Total area	Rect No.	Killa No.	Area
I	2	3	4	Big. Bis.
2. Shakurpur.	1085	9	7	11/3 0 9 20/3 1 12 21/1 2 3
		19	16/3 0 2 25/3 1 2 26/1 6 12	
		20	1/2 2 16 10/2 3 14 11/2 1 5 21 5 12	
		21	1 4 16 10 6 17 11/1 2 8 11/2 0 8 11/3 0 8 20 3 12 21 4 13 22/1 1 15	
		22	5/2 2 18 6/2 5 6 7/1/2 0 2 7/2/1 0 16 13/2/2 0 10 14/1/2 1 6 14/2 2 12 15/1 0 8 15/2 2 12 16 4 16 17 4 16 18/2 5 3 22/2 5 8 23 4 16 24 4 16 25 4 16	
		31	25/1/2 0 6	
		32	6 4 14 7/2 1 11 7/1/2 0 8 13/2 1 3 14 5 17 15 4 16 16 4 16 17/1 2 8 17/2 2 8 18 5 8 19/2 1 19 20/3 0 2 21/1 1 5 21/2 2 0 22 4 18 23 4 16 24 4 16 25 4 16	
		33	1 5 14 2/1 2 8 2/2 2 8 3 4 16 4 4 16 5 4 16 6 4 16 7 4 16 8 4 16 9 4 16 10 4 16 11 4 16	

No. F.8(14)/62-L&H.—In pursuance of the provisions of sub-section (1) of section 22 of the Delhi Development Act, 1957, and by virtue of the powers of the Central Government delegated to him by the President *vide* Government of India, Ministry of Health letter No. F.8-6/61-LSG, dated the 6th May, 1961, the Chief Commissioner, Delhi, is pleased to place at the disposal of the Delhi Development Authority, for the purpose of development in accordance with the provisions of the said Act, the nazul lands described in the Schedule below on the terms and conditions agreed by the

Big. Bis.

12/1	1	5
12/2	3	11
13	4	16
14	4	16
15	4	14
16	4	16
17	4	16
18	4	2
19	4	16
20	4	16
21	4	16
22	6	4
23	4	2
24	4	12
25	4	0
26	0	2
27	0	4
34	1	4
2	3	3
10	4	12
11	3	1
20/1	2	3
20/2	2	4
21	5	6
22	2	14
26	0	3
35	1	4
2	2	5
9	1	8
10	4	16
11	4	16
12	1	13
19	3	16
20	4	16
21	4	16
22	5	6
36	1	4
2	4	16
3	4	16
4	4	16
5/1	1	16
5/2	2	16
6	4	16
7	4	12
8	4	16
9	4	16
10	4	16
11	4	16
12	4	16
13	4	16
14/1	2	1
14/2	2	1
15	4	16
16	5	2
17	1	13
18/1	2	18
18/2	0	4
19/1	4	12
19/2	4	16
20	4	16
21	6	4
22/1	3	15
22/2	1	11
23	4	16
24	1	13
26	0	6
27	0	4
28	11	1
37	1	2
2	4	15
3	4	16
4	4	16
5	4	16
6	4	16
7	4	16
8	4	16
9	4	8
10	3	9
11	4	16
12	4	16
13	4	16
14	4	16
15	4	16
16	4	16
17	4	16
18	4	16
19	5	6
20/1	1	16
20/2	2	12

Big. Bis

21	4	16
22	3	18
23	4	2
24	4	16
25	4	16
26	0	3
27	2	15
38	4/3	0
5/1/2	1	0
5/2/2	3	10
6/1	3	7
6/2	1	7
7/2	4	9
8/1/1	0	2
8/2/1	0	11
12/2	1	9
13/2	4	11
14	4	5
15/1	0	13
15/2	2	6
16	5	12
17/1	1	1
17/2	3	11
19/2	3	19
22	2	15
23	4	16
24/1	1	17
24/2	2	15
25	4	16
26/2	6	10
18	4	16
39	25/3	1
46	5/2	2
6/2	3	6
47	1	4
2/1	3	1
2/2	1	12
3	5	1
4	3	10
5	4	16
6	4	16
7	4	16
8/1	1	19
8/2	2	13
9/1	3	13
9/2	1	13
10	5	4
12/1	0	14
12/2	0	15
13/1	3	5
13/2	0	14
14	6	0
15	4	12
16	3	6
27	0	4
48	1	4
2/1	2	8
2/2	2	8
3	5	2
4/1	3	2
4/2	1	8
5	3	14
6/1	2	16
6/2	3	2
7	4	4
8/1	1	8
8/2	1	15
9	3	15
10/1	0	3
10/2	0	18
10/3	3	15
11	4	16
12	1	16
14	2	1
20/1	2	13
20/2	3	2
26	45	13
27	21	19
28	0	5
49	1	3
2	4	18
3	4	16
4	2	4
5	2	15
6	4	6

			I			2			3		
			I			2			3		
						</					

Big. Bis.

Big. Bis.

Big Bis.

Big. Bis.

218	5	0
219	1	13
220	2	3
221	1	5
222	1	4
799/223	0	15
800/223	0	13
801/223	0	6
224	1	3
225	0	6
226	2	19
227	1	9
228	0	3
229	3	0
230	3	8
231	0	19
233	1	18
234	8	11
235	2	2
236	5	17
237	4	19
238	9	14
239	1	4
240	2	6
241/1	10	11
242/1	7	17
243/1	7	5
244	5	0
245/1	0	12
246/1	0	1
247	1	1
248	1	7
849/249	9	10
850/249	1	5
250	3	18
251	2	0
252	22	13
253	4	12
254	6	10
255	1	11
257	4	12
258	2	13
259/1	31	4
261/1	Less than	
	1 Biswa	
264/1	4	4
273/1 3	1	15
296/1	0	9
297	2	6
298	2	14
299	1	6
300	1	0
301	1	18
302	2	14
303	2	14
304	2	3
305	1	18
306	3	1
307	3	1
308	3	17
309	1	2
310	5	4
311/1	2	18
312	0	19
313	2	11
314	2	6
315	3	11
316	2	6
317	2	3
318/1	0	2
318/2	5	6
319	0	19
320/1	0	2
320/2	6	16
342	1	2
739/343	3	10
740/343	0	19
741/344/1	1	0
742/344	2	19
742/345/1	1	9
748/349/2	0	7
749/349/1	1	0
750/349/2	0	7
353/2	0	8
354/1	1	15
365/2	1	5
366	2	16
367	2	0
368	0	16
851/369	9	6
852/369	3	1
370	0	10
371	8	9
372	0	4

377/3	0	8
378/3	0	3
379/3	0	17
380/2	0	7
381	0	12
382	0	16
383/3	7	0
384	9	10
385	9	7
387	11	13
388	9	13
390	5	10
391	0	8
392	2	14
393	10	17
394	12	5
395	17	0
396	14	16
397	13	15
398	8	11
399	14	1
820/400	2	1
821/400	3	11
401	2	32
402	1	0
403	7	13
404	7	11
405	11	18
414	0	8
415	2	18
416	4	10
417	5	11
418	13	2
419	1	12
420	1	15
421	0	9
422	3	18
423	5	11
424	11	3
425	7	9
426	5	12
427	9	10
428	10	16
429	6	11
824/439	1	1
825/439	3	3
440	12	0
441	10	0
442	18	0
443	11	2
444	4	8
445	6	19
446	0	9
447	11	5
448	20	19
449	10	4
450	1	4
451	0	13
452	0	9
453	2	1
454	0	12
455	0	8
456	1	0
457	0	7
458	2	6
459	2	3
460	1	18
461	1	10
462	0	18
463	2	14
464	2	4
465	2	12
466	0	17
753/467	2	1
754/467	1	2
468	3	18
853/469	0	16
854/469	1	16
855/469	2	1
470	4	6
856/471	4	6
857/471	0	11
472	0	9
716/473	0	11
717/473	0	12
474	1	16
757/475	0	18
758/475	1	1
755/475	2	11
756/475	2	13
476	1	19
477	1	11
478	1	9
759/479	1	0

I

2

3

I

2

3

Khasra No.	Big.	Bis.
760/479	1	7
480	2	13
858/481	1	2
859/481	0	19
860/761/482	1	9
861/761/482	4	0
762/482	0	19
483	2	19
484	2	14
485	0	14
486	0	18
487	2	14
488	2	7
811/489	2	3
812/489	0	4
490	2	0
491	2	10
492	2	7
493	1	0
494	1	16
495	1	16
496	0	14
497/1	0	12
497/2	0	4
497/3	0	4
498	0	12
499/1	0	8
499/2	0	8
Total	889	14

No. F.8(16)/62-L&H.—In pursuance of the provisions of sub-section (1) of section 22 of the Delhi Development Act, 1957, and by virtue of the powers of the Central Government delegated to him by the President *vide* Government of India, Ministry of Health letter No. F.8-6/61-LSG, dated the 6th May, 1961, the Chief Commissioner, Delhi, is pleased to place at the disposal of the Delhi Development Authority, for the purpose of development in accordance with the provisions of the said Act, the nazul lands described in the Schedule below on the terms and conditions agreed by the said Authority in its Resolution No. 114, dated the 10th May, 1961.

SCHEDULE

Locality or village	Total area	Khasra No.	Area
I	2	3	
Naraina	718 14	Big. Bis.	Big. Bis.
		9/1	0 11
		10/1	0 5
		25	4 14
		26	2 15
		27	8 3
		28	4 18
		29	5 11
		30	4 0
		31	4 4
		53	0 16
		54	1 9
		55	0 17
		68	1 13
		69	0 18
		70	2 8
		71	2 15
		72/2	1 2
		73/2	4 5
		74/1	2 16
		99/1	1 0
		1794/100/2	1 14
		308/2	3 8
		309/2	0 4
		310/2	2 1
		1981/311	8 7
		1982/311	1 11
		312	5 0
		313	4 18
		314	2 10
		315	2 18
		316	3 14
		317	3 3
		318	1 10

Khasra No.	Big.	Bis.
319	1	9
320	1	1
321	1	1
322	2	5
323	2	10
324/1	4	18
327	2	1
332/1	1	10
333	3	6
334/1	2	1
335	2	7
336	2	5
337	3	5
338	2	10
339	2	8
340	4	4
341	23	5
342/1	1	16
349/1	5	1
378	0	14
379	0	10
380
2035/2024/383	4	1
384	4	4
385	4	17
386	3	12
2036/2024/383/1	3	0
387	3	9
388	3	13
389	6	17
390	4	14
391	4	1
392	4	16
393	5	8
394/1	1	3
395/1	1	16
396	1	19
397	5	1
398	5	17
399	4	14
400	1	1
401	1	7
1858/402	0	6
1859/402	0	15
1860/402	0	15
403	4	6
404	4	8
405	0	2
406	5	1
407	4	10
1861/408	1	10
1862/408	0	6
1863/409	0	6
1864/409	1	10
410	3	1
411	3	8
412	3	12
413	4	12
414	8	9
415	0	18
416/1	4	0
417/1	2	10
418	2	16
419/1	1	14
420/1	0	4
437/1	1	5
438/1	3	0
439	3	18
440	4	15
441	1	18
442	1	18
443	3	16
444/1	1	13
445	3	8
446	3	16
447/1	0	11
462/1	0	3
463/1	3	13
464/1	0	17
465	1	7
466/1	5	4
467	4	11
468	1	16
469	2	10
470	1	17
471	1	10
472	2	14
473	3	13
474	14	8
475	6	15
476	6	6

Khasra No.	Big.	Bis.
477	4	12
478	7	6
479/1	0	12
480/1	1	9
2037/481	1	2
2038/481	1	1
482/1	2	3
483	1	9
1865/484	1	10
1866/484	0	11
485	0	7
486	2	0
487	3	2
488	3	2
489	10	3
490	4	0
491	1	8
492	1	1
493	12	3
494	4	12
495	6	7
496	2	9
497	0	14
1965/498	0	11
1966/498	0	10
499	1	1
500	4	13
501	5	8
505	5	5
506	4	3
2039/507	3	2
2040/507	3	3
509	12	2
510	9	16
511	5	8
512	4	10
513	3	12
514	3	10
515	4	4
516	2	3
517	0	7
518	0	6
519	4	4
520	3	7
521	2	13
1802/522	2	5
1803/522	0	9
530	2	14
524	2	14
525	5	10
526	1	13
527	1	12
528	1	5
529	1	9
530	1	16
531	1	16
532	5	10
533	1	16
534	1	13
2028/535	1	16
2029/535	2	0
536	1	8
537	1	16
538	1	3
539	1	5
540	1	2
541	1	3
542	1	13
543	1	16
544	0	9
545	0	12
546	0	5
547	1	0
548	0	16
549	0	19
550	0	19
551	1	5
552	0	8
553/1	1	5
554	3	12
555	1	7
556	1	9
557	2	1
558	4	7
559	2	17
560	2	14
561	3	3
562	4	19
563	0	14
564	4	17
565	2	6
566	2	15
567	4	15
568	4	16

Khasra No.	Big.	Bis.
569	1	10
2016/570	1	7
2017/570	1	7
571	10	6
572	2	10
2006/573/I	0	6
2007/573/I	4	15
574	2	14
2026/575	4	12
2027/575	1	3
576	3	7
622/I	0	1
623	3	1
624	5	15
625	3	17
626	0	7
627	8	2
629/I	1	9
639	0	5
640	0	7
642	1	1
643	1	1
654/I	4	9
1060/I	6	0
TOTAL	718	14

No. F.8(17)/62-L&H.—In pursuance of the provisions of sub-section (1) of section 22 of the Delhi Development Act, 1957, and by virtue of the powers of the Central Government delegated to him by the President *vide* Government of India, Ministry of Health letter No. F.8-6/61-LSG, dated the 6th May, 1961, the Chief Commissioner, Delhi, is pleased to place at the disposal of the Delhi Development Authority, for the purpose of development in accordance with the provisions of the said Act, the nazul lands described in the Schedule below on the terms and conditions agreed by the said Authority in its Resolution No. 114, dated the 10th May, 1961.

SCHEDULE

Locality or village	Total area	Khasra No.	Area
I	2		
	Big. Bis.		Big. Bis.
1. Kilokri	105	2	
		1219/143/4	1 3
		144/2	12 5
		146/3	0 2
		147/2/1	2 13
		149/2	0 18
		150	6 18
		151	6 7
		152	13 7
		153	4 14
		154	4 14
		155	6 1
		156	2 14
		157	4 12
		158	5 2
		159	1 8
		160	5 10
		161	18 18
		162	3 5
		1214/164/1	3 8
		1216/163/1	1 3
TOTAL			105 2
2. Zamurd pur	24	5	
		138	1 19
		156	3 5
		157	2 1
		158	0 9
		182/3	1 4
		190/3	0 2
		181	5 3
		182/1	1 3
		180	2 1
		219/199	1 12
		220/199/1	1 13
		189/3	0 5
		221/199/1	0 13
		244/199/3	0 1
		128/1	1 6

I	2	3
Big. Bis.	Khasra No.	Big. Bis.
	129/1	0 2
	134/1	0 5
	127/1	0 11
	202/4/1	0 10
TOTAL		24 5

3. Garhi Jaria Maria	426 18	14	9	0
		15	2	15
		17	13	14
		154/21	5	5
		159/19	0	18
		160/19	0	16
		161/24	1	4
		162/24	1	3
		163/24	1	3
		26	5	3
		29	3	7
		30	3	0
		31	0	11
		32	5	14
		33	9	17
		34	5	10
		169/38/1	11	14
		169/38/2	0	17
		170/38/2/1	16	16
		170/38/2/2	2	1
		41	11	10
		42	7	6
		45	0	13
		46	5	8
		47	4	15
		48	0	8
		49	0	9
		50	4	15
		171/52	3	12
		172/52	3	15
		173/53	2	0
		174/53	1	18
		54	0	7
		55	0	6
		56	0	12
		59	5	8
		60	0	14
		61	1	8
		175/62	0	14
		176/62	0	15
		63	1	14
		64	1	8
		69	1	14
		73	4	13
		74	2	19
		75	2	6
		77	2	14
		78	0	15
		79	0	4
		82/1	3	6
		145	3	9
		177/48	2	0
		196/184/150	16	17
		197/184/150	8	18
		199/184/150	2	13
		200/184/150	7	1
		185/150/1	20	2
		186/150/2	33	7
		187/150/1	33	7
		189/150/2/3	1	11
		190/150/3/1	0	10
		147/2/2	17	6
		89/2	1	7
		90	2	10
		91	3	1
		92	0	1
		93/2	1	7
		94/2	1	3
		155/95-97	3	12
		96	0	18
		156/97/2	1	18
		98/2	3	8
		99	1	18
		100	3	6
		101/1-3	2	13
		102	7	10
		103	4	12
		105/2	1	6
		106/2	1	3
		107	1	18
		108	2	4

TOTAL

4. Bahapur .

Big. Bis.	Khasra No.	Big. Bis.
109	.	2 11
110	.	1 18
111	.	1 14
112	.	4 16
113	.	3 12
114	.	4 16
115	.	5 0
116	.	2 16
201/117	.	0 13
202/117/1	.	3 14
203/117	.	1 12
204/117	.	0 9
205/117	.	5 13
118/2	.	0 1
119/2	.	0 6
120/1	.	0 9
121/39/2	.	1 11
121/5/2	.	0 7
121/6	.	0 7
121/12/2	.	0 5
121/13	.	0 10
121/19/2	.	0 2
121/20	.	0 10
121/29	.	0 10
121/40	.	0 4
121/38	.	2 5
121/37/1	.	0 7
121/39/1/2	.	0 5
122/2	.	1 6
140/11	.	0 11
TOTAL		426 18

603 16 60

1217/609	.	40 5
1218/609	.	31 18
1219/609	.	16 17
1220/609	.	19 10
1220/609	.	48 12
1630/610	.	4 4
1631/610	.	2 19
1632/610	.	1 2
1633/610	.	1 3
1634/610	.	2 8
1635/610	.	1 4
1636/610	.	0 12
1637/610	.	1 3
1638/610	.	1 14
1639/610	.	0 14
1640/610	.	0 11
1641/610	.	0 11
1642/610	.	0 11
1643/610	.	1 5
1644/610	.	0 7
1645/610	.	1 9
1646/610/2	.	3 3
611/2	.	19 3
1717/1647/612	.	5 8
1718/1647/612	.	4 6
1648/612/2	.	17 16
613/2	.	1 4
613/3	.	3 19
614/1/2	.	2 4
614/1/3	.	1 19
614/2/2	.	31 11
615	.	2 3
616	.	61 2
617	.	7 13
618/1	.	44 12
619	.	2 9
620/1	.	4 9
1273/873/2	.	2 9
1274/873/2	.	1 11
1275/873/2	.	2 22
1276/873/2	.	1 19
1277/873/2	.	4 14
1278/873/2	.	2 0
1279/873/2	.	1 12
1280/873/2	.	1 18
1281/873/4/2	.	0 14
1281/873/6	.	9 12
1281/873/5/2	.	7 0
1282/873/1	.	3 11
1203/627/2/2	.	6 2
852	.	2 11
853	.	2 5
854	.	1 5
858	.	0 18
860	.	2 14

Big.	Bis.	Khasra No.	Big.	Bis.
		798/2	3	4
		808/2	6	9
		837/2/3	0	11
		1281/873/3/1/1	5	1
		1281/873/3/2/1	1	3
		1284/873/1	3	3
		1731/1122/311//1	0	13
		590/1	0	1
		591/1	0	4
		592	4	10
		593/1	11	2
		594	3	4
		595/1	6	13
		1150/596	5	16
		1151/596	3	7
		597	2	8
		508	9	11
		599/1	2	2
		600/1	42	14
		601/1	18	13
		602	3	11
		603/1	0	8
		604/1	1	16
		605/1	0	1
		1727/310/1/1	0	17
		1733/309/2/1	4	15
		1204/317/2/1	1	19
		1737/1205/317/1/1	1	5
		1739/1206/317/1/1	1	9
		1741/1207/1/1	1	0
		1209/318/2/1	0	11
		1210/318/2/1	0	17
		319/2/1	1	9
		320/1/1	0	14
		1745/321/1/1	0	15
		1747/233/1/1	1	7
		1764/1651/1	1	16
		1750/323/1/1	0	11
		1713/324/1	1	2
		1713/324/2/1	0	6
		1714/324/1	0	12
		1734/1124/1/1	0	17
		1714/324/2/1	0	2
TOTAL			603	16

By Order,

K. L. RATHEE,
Secretary (Local Self Govt.),
Delhi Administration, Delhi.

Delhi, the 1st August 1962

No. F.8(37)/61-F&CS.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955, read with the Government of India, late Ministry of Production Order No. SRO. 11/4/57-CI, dated the 2nd April, 1957, the Chief Commissioner, Delhi is pleased to make the following Order further to amend the Delhi Coal (Movement, Price and Distribution) Control Order, 1958, published with his notification No. F.8(43)/57-F&CS, dated the 18th June, 1958, in Part IV of the

ORDER

1. Title and commencement.—(1) This Order may be called the Delhi Coal (Movement Price and Distribution) Control (Third Amendment) Order, 1962.

(2) It shall come into force at once.

2. Substitution of the Schedule appended to the Delhi Coal (Movement, Price and Distribution) Control Order, 1958.—For the Schedule appended to the Delhi Coal (Movement, Price and Distribution) Control Order, 1958, the following Schedule shall be substituted, namely:—

"SCHEDULE

S. No.	Specification of the articles	Maximum wholesale price per quintal (100 kg.)	Maximum retail sale price per quintal (100 kg.) of coal and coke screened through not less than $\frac{3}{8}$ " mesh
		Rs. nP.	Rs. nP.
1	Soft Coke	6.69	7.89
2	Beehive Hard Coke (if ash contents do not exceed 24%)	8.77	9.97
3	Beehive Hard Coke (if ash contents exceed 24% but not 30%)	7.97	9.17
4	Steam Coal (non-coking) Grade II	5.69	6.89
5	Steam Coal (non-coking) Grade IIIA	5.52	6.72
6	Steam Coal (non-coking) Grade IIIB	5.39	6.59
7	Steam Coal (coking) Grade A.	6.48	7.68
8	Steam Coal (coking) Grade B	6.37	7.57
9	Steam Coal (coking) Grade C	6.26	7.46
10	Steam Coal (coking) Grade D	6.10	7.30
11	Steam Coal (coking) Grade E	6.04	7.24
12	Steam Coal (coking) Grade F	5.96	7.16
13	Steam Coal (coking) Grade G	5.91	7.11
14	Steam Coal (coking) Grade H	5.88	7.08
15	Steam Coal (coking) Grade HH	5.69	6.89

By Order,

SUNDER LAL,
Asstt. Director, Civil Supplies,
Delhi Administration, Delhi.